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THE  
Herald and Genealogist.

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## PREFACE.

THE HERALD AND GENEALOGIST is steadily pursuing its course upon the plan which has now been maintained for some years. The Editor keeps constantly in view the principles which long experience has rendered habitual. In matters of Genealogy he holds as best worthy of consideration such subjects as possess a general and historical importance. The more a family is already known to fame, the more interest will be taken in any information regarding it. But the condition of its admission into this work is that such information shall really possess a literary value, either from the originality of the materials upon which it is founded, or the critical investigation that is brought to bear upon its discussion. Of this character there are several very valuable articles in the present Volume. Distinguished by skillful criticism, in regard to the early periods of English genealogy, are those on the families of Rye, Bohun, and Greene, and the descendants of Arnulph de Hesding, contributed by different writers, but all of eminent talent in this department of research; whilst from other able correspondents have been received elaborate memoirs and pedigrees of the families of Arthington, Cooksey, Edwin, Ipstones, Longueville, Methwold, Vavasour, and others.

For the comprehensive genealogies of the Family of Fairfax I am indebted to Mr. Clements R. Markham, author of *The Life of The Great Lord Fairfax*, 1870, who printed them first in a separate form. In the earlier generations, however, he has fallen into some material errors, which will be corrected in my next Volume.

Mr. Dymond has made a further contribution on the Cary family, and he encourages me with the promise that it will

soon be followed by the completion of that very careful compilation: whilst from one of the best sources in Scotland I have received portions of a series of original investigations on the different branches of the Kerrs, of which the sequel will shortly appear.

Another distinguished genealogist at Edinburgh, Mr. Alexander Sinclair, has contributed important memoirs on the Lords of Lorn, the Earls of Huntly, and the succession of the Earldom of March or Dunbar: nor shall I unduly flatter myself if I point out the articles on the Barony of Powys and the Earldom of Wiltes, as furnishing remarkable chapters in the history of English titles of honour.

Whilst this work is thus accomplishing so much for Genealogy, its office as a Herald (in the more popular sense) is never lost sight of: for in every Part will be found one or more articles bearing upon the antiquities of English Armory. In this department a large amount of work still remains to be done, and I should be rejoiced to welcome as many useful Correspondents as I have for Genealogy. I must, however, be allowed to acknowledge with gratitude the frequent assistance I receive from Mr. H. SYDNEY GRAZEBROOK, the Author of *The Heraldry of Smith*, an excellent little volume of which an account will be found at page 377, and who has now announced a more important work on *The Heraldry of Worcestershire*.

JOHN GOUGH NICHOLS.

June 1, 1871.

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# The Herald and Genealogist.

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## CARY FAMILY OF DEVON.

The pages of *The Herald and Genealogist* have already been enriched by papers in which the Rev. Charles J. Robinson has ably traced the history and pedigree of the two branches of the ancient Devonshire family of Cary which were raised to the peerage. I now propose to deal in like manner with the earlier generations, and to follow the traces of certain lost or extinct branches, as a preliminary to an account of that line of Carys, which, with varied fortune, has for many centuries maintained its connection with the West Country, and still flourishes at Torre Abbey.

The ancient muniments and records relating to the numerous manors and extensive possessions formerly belonging to the family constitute a large and valuable mass of evidence concerning the genealogy of many well-known Devonshire families. A selection from these documents affording proofs of pedigree will be found calendared in an Appendix to this paper. But although the Cary family had attained a good position at an earlier date, its genealogical history before the reign of Edward III. is clouded by an obscurity which successive inquirers have been unable to dispel. Westcote, in his *View of Devonshire*, written in 1630, traces the pedigree from one Adam Cary of Castle Cary in Somerset, who must have flourished about the year 1200. This corresponds with the mention by Mr. Robinson of Adam de Karry as lord of Castle Cary in the year 1198. There seems, however, to be considerable deficiency of proof of the connection of the family with Castle Cary; and, on the other hand, there appears to be strong ground for the presumption that the ancient cradle of the race is to be found in the Manor of Kari, or Cary, in Devon. This is mentioned in Domesday as held by Waldin under Judhel de Totonais; and it certainly formed a part of the family possessions of the Carys from about the middle of the fourteenth down to

the latter end of the sixteenth century. The presumption is also favoured by the fact that the earlier generations were styled "de Kari" or "Cary." This manor of Cary is situated in the parish of St. Giles-in-the-Heath, about five miles to the north-east of Launceston. The name will still be found on the Ordnance map attached to what is now an ordinary farm. Although traces of an older house exist on the same site, there is little to distinguish the present structure from other modern farm buildings of the neighbourhood. It is in a somewhat elevated position, and its front windows command a fine view southwards over the characteristic hill scenery of Devon. Risdon, writing early in the seventeenth century, describes the parish of St. Giles as "hemmed in with Tamar river on the one side, and a pretty brook called Cary on the other; whereof (if I conceive not amiss) the surname of Cary's took beginning; for in this parish that family possessed an ancient dwelling bearing their name." The "pretty brook" still retains the name of Carywater, by which it is frequently mentioned in the deeds already referred to, at various dates from 1429 downwards.

Adopting the statements of Westcote and others as regards the generations which succeeded Adam Cary, we reach safer ground in treating of the three sons of Sir John de Cary by his wife Anne, daughter of the famous Sir Guy de Bryan. Of these, Sir William married Thomasia, daughter and heiress of Richard Bozun, lord of Clovelly, on the northern coast of Devon, a spot dear to the lovers of romantic scenery, and familiar to the readers of *Westward Ho!*<sup>1</sup> This manor remained the inheritance of the Cary

<sup>1</sup> The late Rev. Dr. Oliver, writing to an Exeter newspaper in 1856, under his well-known signature of *Curiosus*, observes, "It is a common error that Sir John Cary purchased Clovelly manor, to which the advowson of the church of All Saints is attached; but certainly it never was his. The truth is that this ancient manor, parcel of the old fee of the Earl of Gloucester, belonged to the Giffords, and then to the Stauntons; that John de Staunton, son and heir of the late Sir John de Staunton, knt., presented William Payne to the vacant living on the 18th May 1362; that from the Staunton family it soon after passed to Richard Bozun, whose daughter and heiress Thomasia married Sir William Cary. This new possessor obtained the licence of King Richard the Second on the 8th March 1388 to convert the parochial church into a collegiate one, to be served by a warden and six chaplains (see *Mon. Anglic.* vol. iv. p. 1385), but probably the disasters in the Cary family prevented the accomplishment of the design."

family until, by the failure of male issue in one branch, it passed to another name in 1724. Sir William Cary, described by Pole as "learned in the law," must have died childless about the end of the fourteenth century, for we find that on the 16th January in 1394 he presented Richard Leman to the rectory of Clovelly, then void by the death of Walter Crabbe, and his widow Thomasia presented Richard Planya on the 31st of May 1411. Sir John Cary was elected with his brother Sir William a knight of the shire in 1363 and again in 1368.<sup>1</sup> In 1378 Sir William, as guardian of Ralph de Arundell, petitions the Parliament for restitution of his ward's part of the hundred of Penwith in Cornwall.<sup>2</sup> Sir John was called by special writ of summons early in 1386 to the degree of Serjeant-at-law, and finally became Lord Chief Baron of the Exchequer on the 5th of November in that year. The calamitous results of his elevation are well-known matters of English history. The Chief Baron was one of the five judges summoned by Richard the Second to Shrewsbury on the 20th of August 1387 to aid him with their counsel against the designs of the commissioners who sought to restrict the royal prerogatives. At a second council, held shortly afterwards at Nottingham, at which it does not appear that Sir John Cary was present, the other judges gave their opinion, attested by their seals, in favour of the King, and pronounced the commissioners guilty of attempting to subvert the constitution. Under the influence of the disaffected barons the weak monarch submitted to the impeachment of his counsellors. The Lord Chief Justice Tresilian was executed at Tyburn as a traitor, whilst his colleagues, whose sentence of death was commuted by the Parliament to perpetual exile, suffered the confiscation of all their possessions.<sup>3</sup> Those of Sir John Cary and his brother Sir William were extensive and widely scattered. They included the manors of Houndeston, Hardington, Halesbere, and Chilton, and lands at Yeovil and Kingston, in Somerset; whilst in Devonshire they held manors and lands at Clovelly, Cary Lutterford, Wreycumbe and Ashbury, Chepington (Great Torrington), Puddington,

<sup>1</sup> *Pole's Collections*, p. 87.

<sup>2</sup> *Rotul. Parl.* iii. 52.

<sup>3</sup> *Rotul. Parl.* iii. 233, 238 to 244.

Holway, Highampton, Halwell, and Cockington, the latter probably acquired by Sir John Cary by purchase of the widow of Sir Walter de Wodeland. They also held property at Tintagel and Donhedburgh (Launceston) in Cornwall. Sir John Cary's manor of Houndeston was granted on his attainder to William Hull and others, his manor of Hardington to John Wadham and William Hankford, whilst on Robert Chalons was bestowed the manor of Cockington, which, in the sequel, reverted to the Carys. In 1399, on the accession of Henry the Fourth, the Commons prayed that the attainder of the banished judges might be reversed, but we find that Sir John ended his days at Waterford in 1404, his family denied access to him on pain of death, and with an allowance of 20*l.* per annum for his subsistence.<sup>1</sup>

Sir John Cary had married at Michaelmas 1376 Margaret daughter of Robert de Holway, through whom he probably acquired the North Devon manor of that name.

Thomas, the younger brother of the Chief Baron, is described in several deeds dated 1374-6 as rector of the church of Ashwater in North Devon. He appears as a party with his brother to divers instruments relating to the family estates between 1374 and 1386.

Of the family of the Chief Baron, said by Prince to be numerous, there are obscure traces of a son, Hugh; of an ecclesiastic, John or James; and certain records of his heir, Robert of Cockington and Clovelly.<sup>2</sup> Richard the Second partially repaired the Chief Baron's disgrace by restoring to his heir in 1395 the manor and rectory of Puddington. In 1402 Robert Cary petitioned Henry the Fourth for restitution of Torrington and Cockington; but it was not until after the accession of Henry the Fifth that the family honours and possessions were fully recovered.<sup>3</sup> The

<sup>1</sup> *Rotul. Parl.* iii. 442; *Rymer's Fædera*, t. iii. p. iv. 27.

<sup>2</sup> There appears to be no evidence to support the statement by Bishop Godwin in *De Præsulibus Angliæ Commentarius*, as well as by Westcote, and adopted by Izacke in his *Memorials of Exeter*, that James Cary, a son of the Chief Baron, succeeded John Catterick in the Bishopric of Exeter in 1419. The assertion is not supported by better authorities, and the late Dr. Oliver, in his *Lives of the Bishops of Exeter*, a work of remarkable precision and research, adduces evidence that no such appointment to the see was ever made.

<sup>3</sup> *Rotul. Parl.* iii. 484.

various historians of Devon relate that, early in the reign of this sovereign, Robert Cary encountered and defeated in the lists at Smithfield a knight of Arragon who had challenged all comers to mortal combat; that the King conferred the honour of knight-hood on the victor, re-granted to him a great part of the property forfeited on the attainder of his father, and authorised him to bear the arms of the vanquished Arragonese. Izacke, in his *Memo-rials of Exeter*, adds an assertion, adopted by Prince and succeeding writers, that the arms so granted were the present arms of the family (*Argent, on a bend sable three roses of the first*); but, as the seal attached to the settlement made on the marriage of Sir Robert's parents bears these arms (*see p. 9*), this part of the tradition must be dismissed.

In 1416 we discover Sir Robert acting as Escheator of Devon in an inquiry as to the lands of John de Holland, Earl of Huntingdon.<sup>1</sup>

Of Philip, who succeeded his father Sir Robert Cary in the possession of his restored property, little is known beyond the facts stated in the pedigree, and the documents referred to in the Appendix. It does not appear that he was ever knighted, and his death occurred at an early age. His son, William, during a brief career, occupied a more conspicuous place in history. This Sir William married twice, and it was through his second wife, Alice, a daughter of the good old Devonshire house of Fulford, that he became the progenitor of those ennobled branches of the Cary family whose pedigree has been so well and amply recorded in these pages by the Rev. C. J. Robinson. Our present concern is with the descendants of his first wife, Anne, a daughter of Sir William Paulet of Hinton St. George, co. Somerset. It would appear from the family documents that Sir William was knighted between 1457 and 1462, and about the period of his majority. In 1464 we find him denounced by the Parliament for joining the King's enemies, and ordered to surrender or stand convicted of treason.<sup>2</sup> On the landing of Margaret of Anjou and her son at Weymouth, he joined with Courtenay, Earl of Devon, and other Western men of rank in collecting the army

<sup>1</sup> *Rotul. Parl.* iv. 100.

<sup>2</sup> *Rotul. Parl.* v. 511, 512.

which she vainly hoped to strengthen by a junction with the forces of her Welsh adherents. Intercepted by the rapid march of Edward the Fourth, the Lancastrians were compelled, in May 1471, to try the issue of battle on the fatal field of Tewkesbury. In the total rout of the Queen's army the Earl of Devon fell fighting, whilst the Duke of Somerset, Sir William Cary, and other men of note, having taken refuge in the abbey church, were, notwithstanding the King's pardon, treacherously beheaded two days afterwards. It is believed that our knight's body was removed to his home at Clovelly, where his arms, impaled with those of Paulet, appear on the earliest of the numerous Cary monuments in the church of that place.

Sir William Cary was succeeded by Robert, the only son of his first wife. Born, as his will shews, at Hinton St. George, he "was a grave learned man in the laws,"<sup>1</sup> a justice of the peace, and, living to an advanced age, he left a numerous family by three wives. The date of his birth has not been ascertained, but he was probably of age in 1485, as, in that year, the first of Henry the Seventh, we find his petition to the King answered by the restitution of the estates which had been forfeited by his father's attainder 14 years before. The present church of Cockington was probably erected under his auspices about 1490, and the font, still used there, was his gift, as appears by the inscription in brass round its edge. His will, dated 1518, and made preparatory to a pilgrimage to Compostella, affords further evidence of his pious disposition and zeal for the Church. One of the finest of the sepulchral brasses of Devonshire lies over his grave in the chancel of Clovelly.<sup>2</sup>

This Robert Cary of Cockington and Clovelly was the common

<sup>1</sup> *Pole's Collections*, p. 89.

<sup>2</sup> The figure is arrayed in very rich armour; the breast-plate is fluted; from the waist are suspended two narrow taces, to which are appended two ornamented tuilles reaching to the bend of the thigh; a tunic of mail hangs below the elbow and the knee plates are very rich. The legs are encased in plate, and large rowelled spurs are fastened on the heels with long straps. The offensive arms are a sword and dagger, suspended from a curiously-arranged belt. The head is without covering, and the hands are bare and joined, as if in devotion, on the breast. To this description Mr. W. R. Crabbe, F.S.A., adds a lithograph of the stone and brass in his "Account of the Monumental Brasses of Devon," printed in vol. v. of the *Transactions of the Exeter Diocesan Architectural Society*.

ancestor of all the branches of this Cary race of whom it is my purpose to treat. In 1535, five years before his death, this aged squire executed an elaborate deed of settlement, by which his several manors and lands were distributed amongst the male heirs born of his three wives. This deed is given in the Appendix, and will be found singularly rich in genealogical evidence, and perfectly consistent with the proofs yielded by other documents.

It has come to pass that not a single acre of the extensive possessions owned by Robert Cary is now held by his posterity. By his first wife Jane, a daughter of the ancient house of Carew, he left an eldest son John, who had acquired by marriage an estate called Cadickbere or Kegbear, in the parish of Okehampton. This he in turn transmitted to his eldest son, Robert, who was succeeded by his only son Launcelot, the last heir male of this branch. Thomas, the second son of John Cary, inherited the manor of Cary, in the parish of St. Giles-in-the-Heath. Like his great-grandfather, he linked the family by marriage with the ancient house of Fulford, but the scanty particulars furnished by the Heralds' Visitation supply all that is known of his numerous posterity. The number of its male members seems to render improbable the statement of Lysons that this branch became extinct after a few generations, and future inquiries may possibly discover their traces. The quaint little church of St. Giles yields no evidence save that of the single flat tombstone referred to in the Appendix. In the course of some recent restorations this stone has been removed from its former position in the chancel to the floor of the aisle, where its inscription is exposed to the wear of passing feet. A local tradition asserts that the east end of the south aisle was originally a chapel of the Cary family, and the timbers of the waggon-shaped roof are here more elaborately carved than in other parts of the aisle.

The parish register commences in 1653, but contains no entry of the name; and it may be assumed that the connection between the family and manor of Cary ended with the death of Thomas Cary in 1583, or in the succeeding generation.

Thomas, the second son of Robert and Jane (Carew) Cary, inherited Cockington, which passed from the family in the Civil Wars, and from him descended a race which afterwards migrated

to Oxfordshire, and that line of the Carys whose present representative now possesses with the mansion of Torre Abbey a large portion of the site of the beautiful town of Torquay. The generations of this prolific branch will form the subject of a future paper.

By his second wife, Agnes, the daughter of Chief Baron Sir William Hody, Robert Cary left a son William, who inherited Ladford, in the parish of Shebbear, with the estates of West Wanford and Hayne, in North Devon. We soon lose sight of William's descendants, and no evidence has yet transpired to invalidate Prince's statement, that they were extinct in his time.

On Robert, the elder of two sons of Robert Cary by his third wife, Margaret (Fulkroy), was bestowed the Clovelly property, and there, as we shall relate in a future number, his descendants flourished in wealth and dignity until the male line failed in the early part of the eighteenth century. This branch also took Highampton, Halwill, and other estates lying at no great distance from the mansion of Clovelly.

*Exeter.*

ROBERT DYMOND.

## APPENDIX.

### MONUMENTAL INSCRIPTIONS.

*In the chancel of the church at Clovelly, Devon :*

Praye for the sowle of Master Robert Cary esquier, sonne and heyer of Sur Will'm Cary knyght, whiche Robert decessyd the xv<sup>th</sup> day of June ī the yere of o<sup>r</sup> lord god m<sup>c</sup>xl. 0 who<sup>s</sup> sowle ih'u have m'cy.

*Round the margin of a flat tombstone late in the floor of the chancel, but now in the south aisle of the church of St. Giles-in-the-Heath, Devon :*

Here lyeth Elizabet Cary the wyeff of Thomas Cary, Squire, [eldest ?] daughter of Sir John Fulford knig. who dyed the xxiiii. day of Nouember [in] the y<sup>r</sup> of our Lord God 1565.

*In the centre of the same stone :*

And the said Thomas Cary died the last day of June A<sup>o</sup> D'ni 1583,

and lieth buried in the Cathedral Church of Saint Peter's within the City of Exon.

*On a gravestone in the nave of Exeter Cathedral :*

Here lyeth M. Thomas Carye, latte of St Giles in Deuen, who dyed the last day of June, 1583.

*On a tomb in the chancel of Tormohun church, Torquay, Devon :*

Hic jacet Thomas Carius Armiger, qui obiit 27<sup>o</sup> die Martii An<sup>o</sup> domini 1567. Cuius animæ deus propitietu'.

MARRIAGE SETTLEMENT.—SIR JOHN CARY AND MARGARET HOLWAY.

*From family documents at Torre Abbey.*

Dated at Wynkalegh (Devon) Saturday after the Assumption of our Lady 1376. Agreement for gift in frank marriage of Sir John de Kary with Margaret daughter of Robert de Holeway, whereby the said Robert covenants to give with the said Margaret the reversion of all his estate in Northlew, Beaworthy, and Morton (Devon) to the said John and Margaret after his own death and that of his wife Joan Holeway and that of Dame Margaret Kelly. On his side J. Kary covenants to enfeof the said Margaret of all his rents, lands, and services in Uppe Kary to her and the heirs of their bodies, and to grant a rent-charge of 10*l.* on the Uppe Kary manors to the said Margaret; but neither John nor Margaret were to implead her sister Emma's share. Arms, *then* of Cary, as the seal shows, On a bend three roses. Legend, ✠ SIGIL. IOHANNIS D' CARY.

#### WILLS.

*From family documents at Torre Abbey.*—ROBERT CARY, of Cockington, esq. son and heir of Sir William Cary, knt. preparatory to a pilgrimage to Compostella made and sealed his will 11th April, 1518. He gives to the Abbot of Tor 40*s.* To the convent there 20*s.* for prayers. To the church of Hinton St. George where he was born *xs.* To his wife Margery all the goods she had at the time of her marriage to him, "and I wylle that she may have of my goodes according to my promise, the which I endowed her with at the church dore." She was to be allowed to reside during her widowhood in his chief mansion or place of Clovelly. He mentions his sons, John, Robert, and Gregory, and his daughter Jane. To the chapel of Cockington he gives 40*s.* and mentions its stone of St. Katharine. He desires Godmaston Place, which he had purchased, to be sold for payment of his debts.

Appoints as executors Sir Amys Paulet, knt. and John Row, serjeant-at-law, to whom he gives 40s. each, with Robert Ashford, John Nosworthy, and John Cleve, to each of whom he gives 20s. "Jesu keep you and me. Amen."

*At Doctors' Commons* (11 Stonard).—THOMAS CARY, of Cockington, co. Devon, esq. Dated 17th January, 1566. Proved in London at C. P. C. 10th April, 1567. Mentions as his eldest son George and other sons Robert, Richard, Gregory, and Arthur, and daughters Grace, Margaret, and Johan. Executors, "my sons, George, Robert, and Richard." Overseers, "my brethren," Robert Cary, of Clovelly, and Richard Reynolds, esq. (probably Reynell.)

*At District Court of Probate, Exeter*.—Dated 30th October, 1610. LAUNCELOTT CARY, of Cadicabere, alias Kekebere, in the parish of Okehampton, Devon, gent. "beinge sicke of body, but of good and perfect memory," &c. commends his "soule into the hands of God my maker," and his "body to be buryed in the church of Okehampton in decent and convenient buryall;" and, touching all manors and lands, &c. which he had within the two preceding years sold, given, or granted to any person, his will was that such person should freely inherit the same upon condition that his two sisters, Mary Bulland widow, and Jane wife of Leonard Kinsman, shall permit the same, being well assured that neither of them could make rightful title thereto, and on condition that they gave release of their claims to such persons, he gives them 20*l.* each, to be paid within one month after such release. The 20*l.* to be paid to Mary at the rate of 40s. yearly, and afterwards to her son, Thomas Bulland, to whom he also gives 5*l.* To the vicar, churchwardens, and sidesmen of Okehampton 40*l.* to the best advantage of the poor, and placing them as apprentices. To each of his godchildren 20s. To his goddaughter Mary Stephens 12*l.* due under her father's bond after the death of the wife of John Payne of Allington. To John Alford of Okehampton, gent. 10*l.* and his black corslet at Kekebere. After other small bequests he gives "to Johan my wife one bedsteed and featherbedd p'formed, and all such jewels and somes of money as she now hath at her disposinge." To his kinsman Launcelot Wideslade 6*l.* 13s. 4*d.* The residue to his cousins Tristram Stephens and John Ratenbury, who are named executors. The inventory taken 29th March 1610, after his decease, comprises chiefly live stock and household furniture, and includes a corslet, a caliver, a musket-flax and touch-box, an old sword, a rapier, dagger, hanger, and crossbow.

## INQUISITIONES POST MORTEM.

At Exeter, 21st October, 27 Henry VI. on the death of JOAN CARY, widow of Sir Robert Cary. The lands in this inquisition appear to be the assignment of a dowry by Philip (son and heir of Robert Cary, husband of the said Joan), and are set out in various parcels, of which the following are mentioned:—One cottage and three acres of land in Chilston, within the manor of Cockington, and one clowam of land in Henpen, parcel of the barton of the said manor, other cottages, closes, and parcels of land in Chilston, &c. parcel of land called Blyndwylmore, land in Whetcombe, land at Greueway, mill in Chilston with two acres, parcel of land called Scherewylsmore, one meadow called Saltmede, one meadow lying near the dovecote of the Abbot of Torre, one meadow lying under Chilston orchard, one meadow called Levermore, one messuage in the vill of Cockington, all those premises parcel of the manor of Cockington, which manor is holden of Henry Duke of Exeter, &c. . . . value 6*l*. The said Joan held also the manors of Northlewe and Halewyll (in which are lands called Uppecote). She died 4th December last past. William, son and heir of the said Philip Cary, æt. 12 on the 12th day of August last past, is the next heir.

At Exeter, 4th October, 16 Henry VI. on the death of PHILIP CARY. The jurors say that the said Philip Cary did not hold any lands of the King *in capite* on the day on which he died, but they say that Robert Vagescombe and John Uppecote gave the moiety of the manor of Cockington with appurtenances to John Cary and Thomas Cary clerk, and to the heirs of the body of the said John for ever, in default of issue, &c. to the right heirs of the said John, &c.; also they say that John Foucray and Alexander Werthe gave to the said John and Thomas and Robert Vaggescombe clerk, and to the heirs of the said John, another moiety of the said manor, with appurtenances, excepting one mill, one toft, four acres of land, and two acres of meadow, with remainder as above. And afterwards, they being so seized of the said premises, the said manor was seized into the King's hands, by reason of the forfeiture of the said John; and the King, by his letters patent, granted the manors aforesaid to John late Earl of Huntingdon, after whose death it was seized into the King's hands, and was granted to Sir Robert Chalons, knt.; afterward John Cary, Robert Vaggescombe, and Thomas Cary died; after whose death Robert Cary, son and heir of the aforesaid John, produced a writ *de forma donacionis in descendere* as to the moiety against Sir John Chalons, and recovered seizin, &c.

and in the same form recovered the other moiety, and afterwards Robert Cary continued in possession during his whole life, and died thereof seized, Joan his wife surviving; after whose death Philip Cary, son and heir, entered, &c. The said Philip died on Sunday the feast of S. Tecla the Virgin last past, leaving a son and heir William, but before his death granted two parts of the manor to Sir Philip Courtenay and John Gambon, to secure to Cristina wife of the said Philip Cary, &c.; remainder, after her decease, to William son and heir of the said Philip. The said William, born 12th August last past.

For Inquisition on the attainder of SIR WILLIAM CARY, 4 Edw. IV.  
see *Herald and Genealogist*, vol. III. p. 49.

Proofs of age of CRISTINA CARY, sister and heir of Richard, son and heir of William Orchard deceased, who held of King Henry father of the now King *in capite*, &c. whom Philip Cary married; the which Richard, under age, and the King's ward, died at Shebbeare, co. Devon, on Saturday next [before] the feast of St. Thomas the Apostle, 1st Henry VI. Depositions taken before the King's Escheator, &c.

Thomas Dynneworthy deposes that the said Cristina was born at Lodford, and baptized in the church of St. Michael of Shebbeare; that she was 14 years and upwards on the feast of St. Andrew the Apostle last past; well remembers the same, for that his son John died of the plague on the day of her baptism.

John More, æt. 51, remembers, &c. for that he was parish clerk of the said church, and held the book in his hand at the time of her baptism.

William Drygman, æt. 45, &c. for that his daughter Margaret was married to John Hesill the same day.

John More, Junior, æt. 43, saw Joan Ermute, the godmother, give 6s. 8d. &c.

William Seller, æt. 50, that there was a heavy storm of wind that day, and that the people of Lodford had much injury done to their houses thereby.

Henry Buryman, æt. 44, carried basin with lavacrum from Lodford manor to the church that day.

Thomas Lylbere, æt. 42, that his wife was asked to be wet nurse to the said Cristina

Hugh Buryman, æt. 60, remembers, &c. for that in that year many men died.

William Lake, æt. 49, remembers, &c. for that on that day his wife

brought forth a son Robert, who immediately after his baptism on that day died.

Richard Bury professed on that day in the order of friars in the conventual house of friars at Exeter.

Richard Rowden, æt. 46, fell from his horse and broke his right arm, &c.


John Wothuel, æt. 40, a great tempest at sea on that day, when his ship, the Katherine, sunk, and all was lost except the men.

SELECTIONS FROM THE CARY FAMILY PAPERS AT TORRE ABBEY  
AFFORDING PROOFS OF THE PEDIGREE.

*Tuesday after Michaelmas day 1372.*—Grant by Matthew de Stawell (as his beautiful seal calls him) to John de Cary and Thomas Cary, rector of Ashwater, Devon, and the heirs of the said John, of his share in right of his wife Eleanora, a daughter and heiress of Sir Richard de Merton, “in villâ et maneriis de Chepyngtoriton” and Northlew, to hold for the first fifteen years by the payment of a rose at Midsummer, and thence by the payment of 100 pounds of silver yearly.

*Friday after the Epiphany 1373.*—Grant by John de Bampfeld to John de Cary and Thomas Cary, parson of Ashwater, of all the share in the manors of Chepyngtoriton (Great Torrington, Devon) and Northlew, belonging to him in virtue of his marriage with Jane a daughter and one of the heiresses of Richard de Merton, knt.; as also of the reversion of the estate in the town of Chepyngtoriton which John Fitzwaryne and his wife Matilda held in right of her dowry; as also the reversion of the property Matthew de Stawell holds for life by the gift of Thomas Cheyne “in villâ de Chepyngtoriton,” to hold the same to the said John and Thomas Cary and to the lawful issue of the said John de Cary, and in failure of such issue to the right heirs of the said John for ever. Witnessed by John Dynham, Theobald Greynville, Robert Cornu, knts. &c.

N.B.—A duplicate is attached to this with a French power of attorney to John Schopwashe to give seisin of the same property.

The inscription on the shield, bearing a bend charged with three mullets, is,  SIGILLUM IOHANNIS BAUNFELD.

*Monday after the Epiphany 1375.*—A triplicate of the last named deed, having attached a deed of this date, by which John de Cary assigns for life his interest in the Chepyngtoriton and Northlew property to Thomas Cary, parson of Ashwater, and four other trustees, to hold the same by the tender of a rose at Midsummer.

*Sunday before Michaelmas 1376.*—Thomas Cary's disclaimer of the property aforesaid to John de Cary.

*Dated at the Abbey of Sywenham, on the day after the feast of Saint Luke the Evangelist, 49th Edw. III.*—Sir William Cumfrail, knt. appoints Thomas Dabernoun to deliver seizen to John de Cary and Thomas Cary, parson of the church of Essewater, of one-fifth of the manor of Chepyngtoriton.

*Michaelmas Term, 47th Edward III.*—Record of Fine. John de Cary, claimant, and William Cary, defendant "de medietate" of the manor of Cokynghon, with the part which John Northcote and others held for the life of the widow of Sir Walter de Wodeland, knt.

*Sunday after the feast of Saint Ambrose 1380.*—Grant by Richard Wollocote and his wife Sarah to Thomas Cary rector of Ashwater, of their estate in Westmonaton, in the manor of Moremalherbe, Devon.

*Dated Holeway, Monday before Midsummer 1381.*—Grant by Thomas de Merton to John de Cary and his heirs of one-fourth of the manors of Great Torrington, Northlew, and Kilmyngton, and of the advowson of Great Torrington church, which had descended to the said Thomas by the death of Agnes, a daughter and coheir of Sir Richard de Merton, knt.

*Dated Toriton, Thursday after the feast of Saint Gregory, 5th Richard II.*—Grant by Roger Crofte to John de Cary of a tenement in Pywestron (?) in Westlegh.

*Dated Windsor Castle 9th September, 19th Richard II.*—Charter by which the King assigns to Robert Cary, esq. for life, part of the forfeited estate of Robert's father, Sir John Cary, knt. The king grants him the manor of Puddington and three parts of the manor of Northlew, all which were valued at 8*l.* 3*s.* 4*d.*; the services and rents of John Salle in Monkhampton; also 50*s.* yearly rent in Sheepwash, as also four marks from an estate at Launceston. Total 15*l.* 17*s.* 8*d.* per annum. Part of the great seal is still attached.

*Dated Northlew, Friday after Michaelmas 1413.*—Grant by Alice Stury the lady of Lapford to Robert Cary for his life of his domain of Northlew and Hallewill, with all the rights and appurtenances, saving and excepting wards, marriages, reliefs, and escheats. Yearly rent 40*s.* payable at Lapford. This lady is said by Sir William Pole to have been of the Blount family, but the legend of the seal attached is S. SIGILL ALICIE STAFFORDE.

*8th October 1414.*—Edward Courtenay, son of Edward Courtenay (the blind) Earl of Devon, and who died before his father, assigns over

with two other feoffees unto Robert Cary and Jane his wife the manors of Highampton and Northlew and the property mentioned in next deed.

*A dateless deed*, by which Robert Cary, esq. conveys his Devonshire property in Holweye, Cary, Rymbeare, Finnes, Herethorn, Sheepwash, Lutterford, Lymedon, Heghen, Bowedon, Monkokehampston, Brygge, Southcote, and Wrey, as also his estate at Launceston, Cornwall, to John Copleston and three others in trust.

*December 1414.*—Robert Cary renews to John Chapter for his life the tenement lately occupied by Richard Fell. Rent 4s. 8d.

*March 1420.*—Grant by Robert Cary to William Glavyle and Gileana his wife for their lives of lands at Yestecote.

*23rd February, 2nd Henry VI.*—Indenture made at Holewey, between Robert Cary, esq. of the one part and John Bradeston of Estkymbeare of the other part, granting to Bradeston for fifty years a messuage and tenement in Estkymbeare held by Robert Spearke.

*20th February 1420.*—Power of Attorney from John Boson and five others to John Medelond and two others to give seizin to Robert Cary and his wife Jane of and in the property mentioned in the foregoing deed of 8th October 1414.

*Monday after Michaelmas, 18th Henry VI.*—Another grant by Robert Cary, esq. to John Bradeston of a tenement at Estkymbere.

*6th March, 13th Henry VI.*—At Northlew. Grant by Philip Cary, esq. to John Charner of a tenement in the north part of Lew for lives at 4s. a-year.

*Michaelmas 13th to Michaelmas 14th Henry VI.*—Account Roll of John Wyke, bailiff of the manor of Halghewill (Halwill), North Devon, including rents of Strodisuppecote, described as the lands and tenements of Robert Cary, father of the lord (Philip Cary).

*Michaelmas 26th to Michaelmas 28th Henry VI.*—Account Rolls of Thomas Glanvyle, bailiff of the manors of Northlew and Halghewill, including rents of assize, payable “durante minore etate” of William Cary, son and heir of Philip Cary, esq.

*20th September 1457.*—Grant by William Cary, esq. to John Beyn, of an annuity of 20s. charged on East Holwey.

*20th October, 37th Henry VI.*—Grant by William Cary to William Poulet, knt. John Ayshford, and Thomas Baron, of his manor of Cary, with all his lands, &c. in Cary aforesaid, Lutterford, Monckokyngton (Monkokehampston), Shepewashe, and Beworthe in Devon, and Launceston in Cornwall, to hold of the capital lords of the fee by the rents, customs, &c.

Power of Attorney to Thomas Glanville and Thomas Parys to deliver seizin to the above.

*Dated at Cary, 20th November, 37th Henry VI.*—Grant by William Paulet, knt. John Gifford, John Ayshford, and Thomas Baron, of the above manor and lands to William Cary and Alice his wife, and the lawful heirs of their bodies. Witnessed by Baldwin Fulford, knt. Thomas Fulford, William Floyer, and others.

Power of Attorney to Thomas Glanfield and David Oxenham to deliver seizin of the above to William Cary and Alice his wife.

*2nd October 1462.*—Lease by Sir William Cary, knt. to John Holman and Agnes his wife, of a tenement in Northlew for their lives.

*16th July 1464.*—Sir W. Cary enfeoffs Sir William Poulett, knt. and eight other trustees with all his Devonshire and Cornish property.

*5th March 1541.*—John Carie, esq. and his son and heir apparent Robert, agree to sell to Robert Pyers and three others for 10*l.* all oak and timber in North Holwey Wood, and all oaks, ash, aspen, and allers in the hedges in South Holwey and North Holwey, in the parish of Northlew.

*15th December, 34th Henry VIII.*—Lease by John Cary, esq. and Robert his son to John Northam and others of a close in North Holwey for lives.

*3rd August, 1st Edward VI.*—Lease by Thomas Cary of Cockynton, esq. to John Northam, Robert Axworthy, and others of lands called Northollaway, in the manor of Northlew.

*6th February, 7th Edward VI.*—Bill in Chancery. Thomas Cary v. John and Robert Cary. “To the Right Hon. and Rev<sup>d</sup> father in God Thomas Bishop of Ely and Lord Chancellor of England, In most humble wise complaining sheweth unto y<sup>r</sup> hon<sup>ble</sup> L<sup>d</sup>ship y<sup>r</sup> Orator Thomas Cary of Cockinton, in the co. of Devon, Esq.” that whereas “John Cary of Okehampton, in the co. of Devon afs’d, elder brother to your Orator,” was seized of the manor of Northlew and conveyed same to your orator, but that the said John and his son Robert had nevertheless unjustly made a lease for lives of Lew Moor within the said manor to one Humphrey Loveys, and other leases to other persons, which leases they ante-dated before the said conveyance, prays a writ directing the said John and Robert to produce the counterparts of all such leases improperly granted.

The Answer of John Cary of Okehampton sets forth, that it was true that by deed of 7th November, 36th Henry VIII. he and his son Robert had conveyed the said manor to Thomas Cary; that after

this H. Loveys begged him for a consideration of 6*l.* 13*s.* 4*d.* to grant him a lease of Lew Moor, which he said he could not do, as he had conveyed the manor to his brother Thomas, but Loveys undertook to make good the lease, and he (John Cary) being unlearned and relying on Loveys, who was learned in the law, was at last persuaded to grant a lease ante-dated as complained.

By the answer of Robert the son and heir apparent of John Cary, he appears to have had no part in the matter; but that he had heard his father state that he had executed leases of the lands sold twelve months after the sale, and that the leases bore date prior to the sale.

*11th January, 1st Elizabeth.*—Lease by Sir William Stanley, *knt.* one of the coheirs of Charles late Duke of Suffolk deceased, to Thomas Carye of Cockington, Devon, reciting that certain lands at Northlew did by the death of the said Duke descend to the said Sir William Stanley, and to the lady Frances Duchess of Suffolk, and to Margaret daughter to the Right Hon. Henry Earl of Cumberland, and now wife to Henry Lord Strange, as coheirs of the said Charles Duke of Suffolk, and granting such lands to T. Cary for twenty-one years with a covenant to convey the fee.

*11th May 1559.*—Bond of Richard Weke of Northlew in 40*l.* to Thomas Cary of Cockington, *esq.*

*12th December, 2nd Elizabeth.*—Lease by Thomas Cary of Cockington, *esq.* of part of the Barton of Holoway, in the manor of Northlew.

“Byll” made 30 June, 3 *Eliz.*, witnessing that Thomas Cary of Cockington, *esq.* had paid Sir Peter Carew, *knt.* 800*l.*, and stands bound in 1000*l.* in full payment of 1800*l.* for the purchase of the manor of Ashwater.

*15th September, 5th Elizabeth.*—“Memorandum. Whereas there hath byn continual strife between the tenants of John Arundell *esquier*, lorde of the fiveth parte of the mannor of Northlew of the one partie, and the tenants of Thomas Cary *esquier*, lorde of the other four partes of the seid mannor in five partes devyded of the other partie,” as to the bounds of Westlew More and of the rights of pasture there, an agreement was made thereupon as set forth.

*11th April, 6th Elizabeth.*—Bond reciting that John Arscot of Teteot, Devon, *gent.* deceased, by recognizances acknowledged in Chancery, 22nd March, 3 and 4 Philip and Mary, was bounden to Sir Peter Carew of Mohun's Ottery, *knt.* in 500 marks, to observe covenants entered into with Sir Peter and Lady Margaret his wife, and condi-

tioned that Sir Peter should at the request of Thomas Cary of Cockington, esq. assign the benefit of the said covenants.

25th September 1581.—Presentation to John, Bishop of Exeter, by Richard Reynell, esq. Robert Cary of Bradford, and Thomas Cary, gents. of Thomas Waymouth clerk to the rectory of Ashwater.

8th October, 36th Elizabeth.—Depositions taken at Totnes in a cause in Chancery between William Ball, Richard Gill, and Michael Berder, complainants, and George Cary, esq. defendant. William Bruton, chapter clerk of Exeter, aged 84, refers to the chapter records from 1522, by which it appeared that John Cary and John Ridgway (ancestor of the Earls of Londonderry) had held leases of the tithes of St. Mary church, Devon, in 1544. Deponent refers to a lease of 22nd June 1489, by which the Dean and Chapter granted the tithes to the then abbot and convent of the then monastery of Tor, and to an assignment by the abbot before the dissolution to Thomas Cary of Cockington, esq.

FROM CALENDARIUM ROTULORUM PATENTIUM IN TURRI LONDINENSI.

12 Edward III. (p. 132). The King grants to Thomas de Cary "suo valecto" in fee all lands, &c., in Wilts and Dorset, which were John Deverill's, a rebel.

10 Richard II. (p. 215). Joh'es Cary Capital' Baro Scaccarii ad pl'itum.

11 Richard II. (p. 215). Patent "Quod Will'mus Cary possit fundare Collegium apud Cloveley in Devon."

12 Richard II. (p. 217). The King grants to John de Holland, brother of the Earl of Huntingdon, and his heirs *inter alia* the manors of Hellegh, Torrington, and Cockington, Devon, "nuper Joh'is Cary attincti, ac manerium de Halesbere in Somerset per servitia debita."

13 Richard II. (p. 218). The King grants to John Hull and others in fee the manor of Hundeston in Somerset "nuper Joh'is Cary militis attincti, per servitium debit' : " and to John Wadham and William Hankford the manor of Hardington, co. Som. : "ac omnia terras," &c. in Somers' "nuper dicti Joh'is Cary, per servit' debit'."

17 Richard II. (p. 227). "De inquirendo si maner' de Holweylieu, in com. Devon, nuper Joh'is Cary in jure Margarete uxoris ejus, attincti in anno 11, teneatur de Abbate de Quarrera ut de manerio suo de Forwood per homagium et fidelitatem et per servic' decem solid' per ann'."

1 Henry IV. (p. 238). "Rex concessit Joh'ni Chalouns militi in feodo forisfactur' omnium terrarum redd' et possessionum quæ fuerunt Joh'nis Cary justiciar'."

2 Henry IV. (p. 241). The King grants to Robert Chalons the castle and manor of Chepintoriton, and the manors of Cockington, Podington, Heghaunton, Haghewell, and Northlew, with property in Alphington, and the manors of Hundeston, Hardlington, and Chilton, and lands in Yevely and Kingston, co. Som., and Donhedburgh in Cornwall, which were John Cary's, attainted in 11 Richard II.

3 Henry IV. (p. 245). Revocation of Letters Patent granting to Sir Robert Chalons the manor of Hardington and other lands and tenements of John Cary, and grant to John Wadham in fee.

12 Henry IV. (p. 257). Pro Abbate de Holmcoltram, app' Exemplificatio libri de Domesday pro manerio de Cloveley in com. Devon ad requisicionem Thomasiæ quæ fuit uxor Will'i Cary.

7 Edward IV. (p. 312). The King grants to Sir Thomas Bourchier, knt. the manors of Cockington, Chilston, Ashbury, Cary, and all lands in Dunesland, Beworthy, &c., in Devon, and a messuage in Watling Street, London, "nuper Will'i Cary militis," and also the manors of Cary, Lutterforth, Sheres, Wrey al's Wreycumbe, and Ashbury, in Devon.

14 Edward IV. (p. 319). The King grants to John Fortescue, esq., the manors of Hallwell, Highaunton juxta Sheepwash, Northlew, and Hollway, in Devon, nuper William Cary.

PETITION OF ROBERT CARY FOR REVERSAL OF SIR WILLIAM CARY'S  
 ATTAINDER. *From the Cary Papers at Torre Abbey.*

[*Torn away*] our liege lord,

[*Torn away*] Shewith unto yo<sup>r</sup> highnes yo<sup>r</sup> true and feithfull subiect and liegeman Robert Cary son [of Sir Will]'m Cary knyghte, that, where in the Parliament holden atte Westm' the xxi<sup>st</sup> daie of Januarie the iiiii<sup>th</sup> yere of the reigne of Edward late Kinge of England the iiiii<sup>th</sup>, by Acte of Parliament recityng among other that the said William had withdrawn him out of thys Lande, adhering unto Margarete late Queen of England, it was ordeyned and enacted, by the advyse and assent of the Lordes sp<sup>u</sup>ell and temporell, and Com'ons of the same P<sup>l</sup>liament, that a writte of p<sup>l</sup>clamacion shuld be made and directed to the Shereves of the Cite of London, commaunding theym by the same to make open p<sup>l</sup>clamacion within the same cite, three severall daies togeder, afore the xv of Ester then next ensuyng, that the forsaid Will'm Cary, and other specified in the said Acte, p<sup>l</sup>sonally shuld appere afore the said late Kinge Edward the iiiii<sup>th</sup>, in his Benche,

in the Utas of Seint John the baptist next ensuyng the foresaid xxi<sup>st</sup> day of January, then and there to submitt theyme to the said late Kinge Edward the fourth his Grace, afore his Justices atte the Pleas byfore him to be held assygned, and lawfully answeren then and there to suche matters as there shuld be laid ayenst the said Will'm Cary, and doe and obey alle suche as then shuld by the Courte be enjoyned hym. And that a like writt of proclamac'on shuld be made and directed to the Shereves of the Cite of Yorke, com'aunding theyme therby to make as many proclamacions ayenst the said Will'm Cary, and other persones in the said Acte specified, afore the said xv of Ester, And if the said Will'm Cary then made defaute, and appered not in the said Benche, and obeyed not as is aforesaid, that then he soe makynge defaute, and not apperyng, shuld stand and be convicte of Highe Treason, and forfeite to the said late Kinge Edward the iiij<sup>th</sup> all the Mannors, Lands, Tennements, poss'ions and Inheritaments, which he, or any other to his use, the said xxi<sup>st</sup> daie of January, or the first daie or October next before the said xxi<sup>st</sup> daie of January, had in England, Wales, or in the Marches thereof. At which Utas of St. John Baptist the said Will'm Cary appered not before the said late Kinge Edward the iiij<sup>th</sup>, accordinge to the said p'clamacion, bycause that afore the said xxi<sup>st</sup> daie of January the said Will'm Cary, knt. for the naturall love, accordinge to the dutie of his allegeaunce, owed to the most famous Prince of blessed memory, Henry late Kinge of England the vi<sup>th</sup>, youre Uncle, was departed oute of this Realme of England, into partes beyonde the See, unto the said late Quene Margret, and Prince Edward, son of the same late Kinge Henry the vi<sup>th</sup>, then being beyond the See; in whos service, as a trewe subgett unto the said late Kinge Henry the Sixte, the said Will'm Cary was and continued the foresaid xxi<sup>st</sup> daie of Januarie, and long tyme before and after the said Utas of St. John Baptist, till he was att the Feld of Tewkesbury by the servauntes of the said Kinge Edward the iiij<sup>th</sup> slayne, for his true feyth and allegeaunce owed and observed unto the said late Kinge Henry the Sixte: by reason of whiche Acte, the said xxi<sup>st</sup> daie of Januarie, in fourme aforesaid ordeyned and enacted, the said Will'm was atteynted of High Treason, Wherefore please it youre Highness, of your habundant grace, considering the Atteynder of the said Will'm bycause of his true faith and allegeaunce observed to the forsaid right famous Prince of most blessed memorie Henry the vi<sup>th</sup> late Kinge of England, by the advys and assent of the Lords Sp'uell and Temporell, and Com'ons of this

yo<sup>r</sup> Roialme, in thys present Parliament assembled, and by auctorite of the same Parliament, to ordeyne, establishe, and enacte, that the aforesaid Acte, and all Actes of Atteyndre and Forfaiture made in the said Parliament holden at Westm' the said xxi<sup>st</sup> daie of Januarie, ayenst the said Will'm Cary, his heires, and feoffees to the use of hym, as ayenst theym and every of theym, by what name or names the said Will'm Cary be named or called in the said Acte or Actes, be voide, and of noe force ne effecte. And that the heires of the said Will'm and theyre heyres have, holde, p'ceive, possede, claime, and inheritt all Mannors, Lordshippes, Lands, Tent<sup>s</sup>, Rents, Services, Fees, Advowsons, Hereditaments and Poss'ions, and the same enjoye, in like manner and fourme as the same heires and their heires shuld have done, had or enjoyed, if the said Acte or Actes had not ben made ayenst the said Will'm Cary. And that the same Acte or Actes be in noe wise prejudiciall, derogacion, nor hurte to the said heires nor their heyres, nor to the feoffees of, in, or for the p'misses, or any of theyme. And that by the same auctorite the said heires and their heires have, holde, inheritt, clayme, p'ceyve and possede all Mannors, Lordshippes, Lands, Tennements, poss'ions, and Hereditaments, with their appurtenaunces, and the same enioy, which come or ought to have comyn to the handys of the said late Kinge Edward the iii<sup>i</sup><sup>th</sup>, by reason or force of the same Acte or Actes, made ayenst the said William; and that the said heires and their heires into all the said Mannors, Lordshippes, Lands, Tent<sup>s</sup>, Possessions, and Hereditaments, and every of theyme, enter, and theym have and inherite, p'ceyve, and possede, and the same enjoye, in like manner, fourme, and condic'on as they shold or might have done if the said Acte or Actes had never be made ayenst the said William, withoute seeyng of theyme or any of theyme oute of youre handes by Petition, Livere, or otherwyse, after the course of youre Lawes: Savyng to every of youre Leiges and their Heires, and every of theyme, suche accion, right, tittle, and lawfull interest in the prem'es, as they or any of theym had the said xxi<sup>st</sup> daie of January, or the foresaid first day of October, or any tyme sith, other thanne by meane of youre L'res patentes, or the L'res patentes of the said Kinge Edward the iii<sup>i</sup><sup>th</sup>, made to any p'sone or p'sones, of any of the premisses, syn the said Acte or Actes made. And that all L'res Patentes made to any p'sone or p'sones by You Soveraine Lorde, the said late Kinge Edward the iii<sup>i</sup><sup>th</sup>, or the said late in dede and not in right Kinge Richard the iii<sup>d</sup>, of the p'misses or any of theyme, syn the said xxi<sup>st</sup> daye of January, be in noe wyse prejudice

ne hurte to the said heires ne to their heires, or to the said feoffees, but be utterly voide, and of noe force ne effecte. And that it be ordeyned by the advise, assent, and auctorite aforesaid, that no p'sone ne p'sones, the whiche have taken, afore the first daie of this p'sent Parliament, and after the said xxi<sup>st</sup> daie of January, any issues or profitts of or in any of the p'misses, be therof chargeable to the said heires of the said William Cary, nor to their heires, nor to the feoffees to the use of the said William, by wey of Accion or otherwise. Provided alwey, that noe p'sone ne p'sones atteynted, nor their heyres, take or enyoie any avauntage, benefice, or proffite by this said Acte, but oonely the said heires of the said William and their heires in the p'misses, and the feoffees to the use of the said William in the said p'misses, the said xxi<sup>st</sup> day of January, or the forsaid first day of October, or anie tyme sith : and youre said Suppleaunt shall pray unto Almyghty God for the prosperous preservation of your most Roiall Estate.

(The remaining portion is endorsed on the foregoing in a different but contemporary handwriting.)

And also be it ordeyned, established, and enacted by the auctorité aforesaid, that Sir John Fortescu, knt. shall have a yerely Rent of C Marks, to be had and taken of the Mannors of Holway, Northelewe, Cockington, Shylston, Halewill, and Heighhampton with their appurtenaunces in the Countie of Devon, whiche some tyme were the said William Cary, kn't. or any other to the use of the said William, to be hadde and perceyved to the said John Fortescu, his Executours and Assignes, yerely att the fest of Pentecost, duryng the term of v yeres, that is to say, the first day of paiement to begynne in the fest of Pentecost that shall be in the yere of oure Lord God Mccccclxxxvii an C Marcs of lawfull Money of England, and at the fest of Pentecost that shall be in the yere of or Lord God Mccccclxxxviii an C Marcs [&c. &c. down to 1491]. And that it be ordeyned by the auctoritie aforesaid, that as ofte as it shall happe the said yerely Rent of C Marcs, or any p'cell therof, be behynd unpaid, after any of the said days of payment, that then it shall be lawfull to the said John Fortescu, his executours and assignes, to enter into all the said Castelles, Mannors, and every parcell therof, w<sup>h</sup> their appurtenaunces in the said countie of Devon, and distreyn, and the distresse there to be taken to lead, drive, and carry away, and that to reteyne and kepe, unto the tyme the said John Fortescu, his executours and assignes, be fully content and payed

of the said yerely rent of C Marcs and th' arrerages of the same then beinge due and unpaid. And that it be ordeyned by the auctoritie aforesaid, y<sup>t</sup> as oft as it shall happe the said yerely rent of C Marcs to be behynde unpaid to the said John Fortescu in fourme aforesaid, after any of the said daies of payment, by the space of xiii wekes; that then as often the said John Fortescu, his Executours and Assignes, shall have x<sup>li</sup> in the name of a peyne, of and in alle the said Mannours w<sup>h</sup> theire appurtenaunces, and evry p'cell therof; and that it shall be leifull to the said John Fortescu, his Executours and Assignes, in the said Mannours, and every p'cell therof, to enter and distreyne for the said x<sup>li</sup> in name of a peyne, and the distress so taken to lede, drive, and carry away, and that to reteyn and kepe, till he be satysfied as well of the said yerely rent of C Marcs, and the arrerages of the same then beinge due unpaid, as of the x<sup>li</sup> in the name of a peyne aforesaid. Quæ quid'm peticio in parlimento p'dicto lecta audita et matura deliberacione intellecta de avisamento et assensu d'nor' spiritual' et temporal' et communitatis regni nostri Angliæ in dicto p'liament' convocat' necnon eiusdem p'liamenti auctoritat' respondebatur eidem sub eo qui sequitur tenore verbor'.

SOIT FAIT COMME IL EST DESIRE.

From WARKWORTH'S CHRONICLE of the first Thirteen years of the reign of Edward IV. (*Camden Society's Publications.*)

After describing the battle of Tewkesbury, and enumerating the chief of the slain, it proceeds: "and these were taken and behedede afterwarde where the kynge had pardoned them in the abbey cherche of Teukesbury by a prest that turnyd oute at his messe and the sacrament in his handys, whanne kynge Edward came with his swerde into the chirche, requyrede hyme by the vertu of the sacrament that he schulde pardone alle tho whos names here folowe: the Duke of Somerset, the Lord of Seynt Jhones, Sere Humfrey Audeley, Sere Gervis of Clyftone, Sere William Gremyby, *Sere William Cary*, Sere Thomas Tresham, Sere William Newbrugh knyghtes, Herry Tresham, Walter Curtenay, Jhon Florey, Lowes Myles, Robart Jackson, James Gowere, James Delvis sonne and heire to Sere Jhon Delvis; whiche upon trust of the Kynges pardone, yevene in the same chirche the Saturday, abode ther stille, wher thei myghte have gone and savyd ther lyves; whiche one Monday aftere were behedede, notwhitstondynge the Kynges pardone."

## EPITOME OF A DEED OF SETTLEMENT

In the possession of C. H. Mallock, esq. of Cockington Court.

This Indenture made 12th April, 26 Henry VIII. between Robert Cary the elder of Cockington esquire, of the one part, Thomas Cary, William Cary, Robert Cary, and Gregory Cary, gents. younger sons of the said Robert Cary the elder, of the other part, Witnesseth, that where the said Robert Cary the elder, by a former deed confirmed by Thomas Herle clerk, Avery Scampion, and William Lowe, his manors of Clovelly, Cockington, Shylston, Northlieu, Highaunton, Hallwell, Hayne, &c. in Devon, with their appurtenances, and the advowsons of Clovelly and Highaunton, and other lands, including Ladford in Shebbear, &c. to hold to the said Herle and his co-feoffees, their heirs and assigns, in fee to the use of the said Robert Cary the elder and of his heirs, and to the performance of his last will, and that the said co-feoffees had suffered a recovery to the use of the said Robert Cary the elder (the settlor), and of his heirs, and to the performance of his last will; and that forasmuch as the said Thomas, William, Robert, and Gregory Cary have always been heretofore loving, kind, aiding and helping the settlor, who is willing to provide out of his manors, lands, &c. for the sustentation of his said younger sons, and so to set his said manors, &c. as that they should continue in the name of the settlor as long as by the pleasure of God any of his name may continue; and the settlor, to his great costs and charges, had married John Cary his son and heir apparent to the daughter and heir of Devyok of Devonshire, and also had advanced neither of his said younger sons in any marriage, the said Robert Cary the elder covenants that the settlor shall hold the premises for his life [. . .] without impeachment of waste; and that the said feoffees and recoverors shall be seized of the said manors, &c. to the use of the settlor for his life, and shall be seized of the manor and advowson of Clovelly and of Clifford Mill, in the parish of Hartland, Devon, after his death to the use of Margery now wife of the settlor for her life as her jointure, and for one year after her death for her executors, and subject thereto to the use of the said Robert Cary the younger and Gregory Cary and their heirs in tail male, with cross remainders in tail between them; and in default of issue male of the said Robert and Gregory the said feoffees and recoverors shall stand seized of the said manor of Clovelly to the use of the said John Cary the heir apparent of the settlor for life, with remainder to the use of Robert Cary son and heir apparent of the

said John in tail male, with remainder to the use of Thomas brother of the said Robert in tail male, with remainder to John brother of the said Thomas in tail male, with remainder to the use of the said Thomas son of the settlor in tail male, with remainder to the use of the said William Cary in tail male, with remainder to the use of the right heirs of the said Robert Cary son and heir apparent of the said John Cary in fee. And also that the said feoffees and recoverors shall stand seized of the said manors of Cockington and Shilston to the use of the said Thomas Cary son of the settlor in tail male, with remainder to the use of the said John Cary son of the settlor for his life, and afterwards to the use of the said Robert Cary son and heir apparent of the said John Cary in tail male, with remainder to the use of Thomas Cary brother of the said Robert in tail male, with remainder to the use of the said John brother of the said Thomas in tail male, with remainder to the use of the said John Cary brother of the said Thomas in tail male, with remainder to the use of the said William Cary uncle of the said John in tail male, with remainder to the use of the said Robert Cary brother of the said William in tail male, with remainder to the right heirs of the said Robert Cary son and heir apparent of John son of the settlor in fee. Grant of an annuity of 20*l.* after the death of the settlor to the widow, if any, of Thomas his son charged upon the manors of Cockington and Shilston. Grant of another annuity after the death of the said Robert Cary the elder of 20*s.* to one Bartholomew Guy, charged on the same manors. Grant of an annuity of 40*s.* from the same time, and charged on the same manors, to one Robert Ayssheford, steward to the settlor, for his good counsel in times past and hereafter to be given. And it is further condescended, &c. that the feoffees should stand seized of the said manors of Highaunton and Hallwylle, in Devon, and of lands there and in Monkokehampston, Wyll, and Shepewyshe, and the advowson of Highaunton, after the decease of the settlor, to the use of the said Robert Cary the younger son of the settlor, and of the said Gregory, in tail male in tail, with cross remainders in tail male, between them, with remainder to the use of John Cary son and heir apparent of the settlor for life, with remainder to the use of Robert Cary son and heir apparent of the said John Cary in tail male, with remainder to the use of Thomas Cary brother of the said John Cary in tail male, with remainder to the use of John Cary brother of the said Thomas in tail male, with remainder to the use of the said Thomas son of the settlor, uncle to the said John Cary in tail male, with remainder to the use of the said William Cary in tail male, with remainder to the

use of the right heirs of the said Robert Cary son and heir apparent of the said John Cary for ever. And reciting that the settlor had, on his marriage with Agnes his second wife, entered into a certain covenant, and that William Cary was his heir male by the said Agnes, the settlor by this deed covenants that the feoffees should stand possessed of the manors of West Wandford, Haigne, and Loddeford, with their appurtenances in Heddon, Langdon, Frome, and Lutterford, in Devon, to the use of the said William Cary in tail male, with remainder to the use of John Cary son of the settlor for life, with remainder to the use of Robert Cary son of the said John Cary in tail male, with remainder to the use of Thomas Cary brother of the said Robert Cary in tail male, with remainder to the use of John Cary brother of Thomas in tail male, with remainder to the use of Thomas Cary son of the settlor in tail male, with remainder to the use of Robert Cary brother of Thomas Cary in tail male, with remainder to the use of the said Gregory Cary in tail male, with remainder to the use of the right heirs of the said Robert Cary son and heir apparent of the said John Cary, son of the settlor, in fee. Grant of an annuity of 6*l.* 13*s.* 4*d.* to Jone now wife of the said William Cary. Provided that the feoffees shall stand possessed of the manor of Cary and messuages, &c. in Launceston, after the deaths of the settlor and of John his son and heir apparent, to the use of Thomas and John Cary younger sons of John Cary son and heir apparent of Robert Cary the elder for their lives as joint tenants, and after their deaths to the use of Robert Cary elder brother of the said Thomas and John in tail male, with remainder to the use of the heirs of the said John brother of the said Thomas in tail male, with remainder to the use of the said Thomas Cary son of the settlor in tail male, with remainder to the use of the said William Cary brother of the said Thomas in tail male, with remainder to the use of Robert Cary brother of William Cary in tail male, with remainder to the use of Gregory Cary brother of the said Robert in tail male, with remainder to the use of the right heirs of Robert Cary son and heir apparent of John Cary, son and heir apparent of the settlor in fee. Grant of an annuity of 20*l.* to Jane wife of John son and heir apparent of the settlor charged upon the manor of Northlieu. Settlement of the rest of the manors after the death of the settlor to the use of John Cary son of the settlor for life, with remainder to the use of Robert son and heir apparent of the said John in tail male, with remainder to the use of Thomas brother of said Robert Cary in tail male, with remainder to the use of John Cary brother to said Thomas in tail male, with remainder to

the use of Thomas son of the settlor in tail male, with remainder to the use of William Cary brother of said Thomas in tail male, with remainder to the use of Robert Cary brother of said William in tail male, with remainder to the use of Gregory Cary brother of said Robert in tail male, with remainder to the use of the right heirs of the said Robert Cary son and heir apparent of the said John in fee; Provided that in case John son and heir apparent of the settlor, or Robert son and heir apparent of said John, or the heirs in tail of either, shall alter the uses declared in the present Indenture, the premises shall, immediately after the death of the settlor, go to Thomas, William, Robert, and Gregory Cary, sons of the settlor, in equal shares, as tenants in common in tail male, and in default of issue of either his share to be divided amongst the others.

Annexed to the above is another deed by the same settlor, granting to Sir Thomas Ponyngs, knt. Nicholas Ayssheford, Hugh Paulet, and Leonard Chamberlain, esqrs. Robert Pagnam, gent., and Robert Cary (son of settlor), all his manors of Clovelly, Cockinton, Chilston alias Chyllyston Cary, Northlieu, Highaunton, Hallwill, West Wanford, Haighe, and Loddeford, with their appurtenances, and all his houses, lands, &c., in Clovelly, Cockington, Chilston near Tormohun, Cary, in the parish of St. Egidius, Northlieu, Highaunton, West Wanford in the parish of Milton Damarell, Haighe and Ludon in the parish of Murton, Headen and Sawgden in the parish of Sutcombe, Lutterford in the parish of North Bovey, Loddeford in the parish of Schebbeare alias Schestebere, Wyll and Fenne alias Venne in the parish of Beaworthy, Magna Corryton, Schepewaysche, Monkeokehampton, Holdisworthy, and Hertlond, in the county of Devon, with the advowsons of the churches of Clovelly and Highaunton, with view of frankpledge, leets, courts, wreck, &c. &c. to hold of the chief lords of the fee by the accustomed rents and services to the uses specified in the annexed Indenture.—Hiis testibus, John Adam, John Herle, William Schapley, et aliis, 15 April, 26th Henry VIII.

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TABLE I.

ADAM CARY. = Ann, dau. of Sir William Trivet.	
Sir John Cary. = Elizabeth, dau. of Sir Richard Stapleton.	
William de Kari ob. 31 Edw. I. = Alice, dau. of Sir William Beaumont.	
Sir William Cary, or de Kari = Philippa, dau. of Sir John [Warine?] Arceadeckne, or Archdeacon.	
1st. Agnes, dau. of = Sir John Cary, in St. Giles in the Heath, Devon, = 2nd. Ann, dau. and coheir of Lord Stafford.	Sir Guy de Brian, knt.
Sir William Cary, of Clovelly, = Thomasia, dau. and heir of Sir John Cary, of Cockington, = Margaret, dau. of Robert Hol-	
Devon, knight of the shire Richard Bozun, of Clovelly; survived her husband.	Devon, Chief Baron of the Ex- way, of Holway, Devon, esq.; for of Ashwater, Devon, died s.p. <sup>1</sup>
1st. Margaret, dau. of Sir Philip Courtenay, of Powder- = Sir Robert Cary, = 2nd. Joan, dau. of Sir William Hankford, ham, Devon, knt. by his wife Margaret, dau. of Sir Thomas Wake, of Blisworth, co. Northants.	Devon, died s.p. <sup>1</sup>
Philip Cary, knight of the shire for Devon 1433; died about 1437. = Cristina, dau. and heir of William Orchard, = 2nd. Walter or William Inq. p. m. 16 Hen. VI.	
1st. Anne, third dau. of Sir William Paulet, of Hinton St. = Sir William Cary, born 12 Aug. 1437, = 2nd. Alice, second dau. of Sir Baldwin Fulford, George, co. Somerset, knt.; mar. 14 July, 1464.	kn. of Fulford, Devon, married 1459.
The HUNSDON and FALKLAND Carys. See <i>Herald and Genealogist</i> , Vol. III.	
1st. Jane, dau. of Sir Nicholas = Robert Cary, of Cockington and Clo. = 2nd. Agnes, dau. of Sir = 3rd. Margaret, dau. of William Fulkroy or Baron de Carew and Margaret vely, esq.; born at Hinton St. George; William Hody, of Pilles- Fulfram, of Dartmouth, and widow of John (Dinham) his wife.	don, knt. Chief Baron of Herle, esq. by whom she had Nicholas .... Exchequer. Survived her husband.
! Qu. Did he not belong to a former generation? C. J. R.	

TABLE II.

Jane Carew. = ROBERT CARY, of Cockington and Clovelly, esq.; born at Hinton St. George; = Agnes Hody. = Margaret Fulkroy. died at Clovelly 15 June, 1540; bur. there.

[illegible]

## CARY OF EVERTON, CO. BEDFORD.

*To the Editor of THE HERALD AND GENEALOGIST.*

DEAR SIR,—In your IVth volume, at pp. 38, 39, were printed various extracts from the parish registers of Everton in Bedfordshire, relating to the family of Cary of that place. I have the pleasure to send you a pedigree carrying down that family to its extinction on the death of the Rev. John Cary in 1764.

I became possessed of this information some years since, when by the kindness of William Bransby Francis, esq. of Norwich, (who possesses original portraits of Walter Cary, esq. of Everton, his wife Annabella daughter of Sir William Halford, of the Right Hon. Walter Cary, and of Elizabeth Collins his second wife,) I was favoured with the sight of the MSS. of the Rev. Charles Parrott, LL.B. Rector of Saham Tony, near Watton, in this county, and late Fellow of New college, Oxford. This gentleman, who was first cousin to the Rev. John Cary, also sometime a Fellow of New college, noticed in the accompanying pedigree, married Mary Francis, great-aunt to the before-mentioned W. B. Francis. This venerable lady, who afterwards married General Richard Whyte and survived him also, died at Bath 8 Dec. 1834, aged 97, without issue by either

Walter Cary, esq. died 25 Sept. and was . . .  
buried at Everton, co. Bedford, 1 Oct.  
1679.

Walter Cary, esq. ob. 13 Nov. 1714, æt. 48; bur. Annabella, dau. of Sir William Halford. She  
at Everton on the 19th of the same month. died 5 May, 1737, in her seventieth year.

William Cary, bapt. at Everton 8 May, 1688.	Elizabeth, d. of Anthony Sturt, of Heckfield, co. Southampton, knt. and relict of John Jeffreys, of St. Martin's in the Fields, co. Middlesex, esq.; marriage settlement with Walter Cary dated 4 Jan. 1716; living 17 Aug. 1717. First wife.	The Rt. Hon. Walter Cary, of West Sheen, co. Surrey, and of Saint James's, Westminster; bo. 17 Oct. 1685, ob. s. p. Will dated 4 Aug. 1743; codicil 12 June, 1756; proved (Cur. prærog Cant.) 13 May, 1757; bur. at Heston, co. Middlesex.	Elizabeth, d. and co-heir (with her sister Martha, wife of Robert seventh Lord Fairfax,) of Anthony Collins, of Bad-dow Hall, co. Essex, esq. Will dated 21 Feb. 1758; Codicil 29 July, 1761; proved (Cur. prærog. Cant.) 22 Sept. 1763; desired to be buried at Heston. Second wife.	Annabella Cary, born 24 Aug. 1690; bapt. at Everton 7 Sept. following. She died unmarried at Watton, co. Norfolk. Will dated 4 Jan. 1762; codicil 16 Nov. 1763; proved (Cur. prærog. Cant.) 20 Feb. 1764; desired to be buried at Everton.	Rev. John Cary, M.A. sometime Fellow of New college, Oxford; born 8 May, 1692; afterwards Rector of Wootton, co. Oxford: ob. s. p. 1764. Will dated 3 Jan. 1764; proved (Cur. prærog. Cant.) 12th April, 1764.	Elizabeth Cary, born Feb. 1693-4; bapt. at Everton 9 March following, and there buried 10 May, 1694.
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husband; and upon her death various family papers of the Cary, Halford, and Parrott families came into the possession of her nephews the Rev. Robert John Francis, M.A. of Corpus Christi college, Cambridge, now living, æt. 94, and Rector of Rollesby in this county, and the late Henry Francis, alderman of Norwich, mayor in 1824, who married a sister of the wife of my late uncle the Rev. William Grigson.

Yours very truly,

*Whinburgh Rectory, East Dereham.*

WM. GRIGSON.

A comparison of the pedigree supplied by Mr. Grigson with the notes given by Mr. Robinson in our fourth volume, pp. 38 and 39, will aid the reader in constructing a tolerable account of the Everton branch of the Cary family, as attempted in the following page.

There is much to lead one to suppose that it diverged originally from the Carys of Buckinghamshire, amongst whom Rowland was a favourite Christian name. Rowland Carey of Wickham, co. Bucks, made his will in 1552, and it was witnessed by another Rowland Carey, (*cf. inf.*) and it was probably from this particular family that the Holts of London and afterwards of Redgrave derived the name of Rowland. In vol. ii. p. 156, John Holt, great-grandfather of the Chief Justice, is said to have married "a daughter of Cary of co. Bucks," and named his tenth son *Rowland*, which was also the name of Sir John Holt's brother and successor.

(Powell 8.) *Rowland Care*, by his will dated 28 Jan. 155½, desires to be buried in churchyard of Wickham; leaves bequests to his father Richard, his wife Eme (she to be executrix), his second son Nicholas, his father-in-law Nicholas Bethom, and to his eldest son Richard his "mede at Wobridge," after the death of his father. Witnesses, Richard Cary, Rowland Care, Nicholas Bethom, Thomas Hamlett, and Robert Daye of Wykh'm shomaker.

Mr. Coleman's Catalogue (March 1869) refers to a deed between Rowland Carye of Everton, co. Huntingdon, gent., Walter Carye of Great Wycombe, co. Bucks, and others, dated 1626.

Walter Cary, of Wickham, co. Bucks, Esq. — .....

1. Walter Cary, son and heir. 2. Sir Thomas Cary, of Ireland, Knt. — .....

3. Rowland Cary, of Everton, co. Beds, — Rama, dau. and heir of .... Metcalfe, of Great Missenden, co. Bucks.

Patrick Cary, (cf. ante vol. ii. p. 47,) mar. 1659, Dorothy Ling, and d. s.p. 1669. vol. iv. p. 388.

2. Edward Cary, of — Sarah, dau. Marybone, Esq.; bur. of .... Martha, dau. of .... = 1. Walter Cary, of Everton, Esq. bar. — Elizabeth, dau. of Thomas Keightley, of Hertfordbury, co. Herts; living 1682; died before 1713. Qu. bur. at Everton 5 Sept. 1684? C.P.C. 17 Sept. 1657. 1679. Chapman; bur. at Everton 25 Nov. 1657. Will dated 30 July, 1657; proved at C.P.C. 17 Sept. 1657. 1679. Aug. 1661. bur. at Everton 24 Oct. 1679. Will dated 5 Jan. 1677; proved at C.P.C. 23 June, 1682.

Edward Cary, born 12 Nov. 1654. Rama Cary, bur. at Everton 10 Dec. 1654. Walter Cary, of the Middle Temple, gent. æt. 18, 1669. Will dated 2 Dec. 1674; proved at C.P.C. 16 Feb. 1684-5. Qu. bur. at Everton 10 Mar. 1681-2? Sarah, living 5 Jan. 1677; m. .... Rising 1677; m. .... Buried Nov. 1714, aged 48. 1737, aged 69. Issue as in p. 30.

Walter Cary, Esq. — Annabella, dau. of Sir William Halford, of Wistow, co. Leicester, Knt.; died 5 May, 1737, aged 69.

Issue as in p. 30.

# AN ACCOUNT OF THE FAMILY OF RYE, AND ESPECIALLY OF THE BRANCH SETTLED IN NORFOLK.

By WALTER RYE.

The first time I find my name in history is about twenty years before the Norman Conquest,<sup>1</sup> when *Hubert de Rye*, who held the village of Rye, near Falaise, in Normandy, of the Count de Bessin, saved the life of William the Conqueror, then Duke of Normandy, in a way that is related by most of the Norman chroniclers, but by none so graphically as by Wace, whose narrative I cannot improve, and therefore subjoin—

He (William) was at that time sojourning at Valognes for his pleasure, as well as on business, and had been for several days hunting and shooting in the woods. One evening late his train had left his court, and all had gone to rest at the hostels where they lodged, except those who were of his household, and he himself was laid down. Whether he slept or not I do not know, but about the season of the first sleep a fool named Golet came with a staff slung at his neck, crying out at the chamber door, and beating the wall with the staff, cried "*Ovrez! ovrez!* ye are dead men, *levez! levez!* Where art thou laid, William? Wherefore dost thou sleep? If thou art found here thou wilt die; thy enemies are arming around; if they find you, thou wilt never quit the Cotentin, nor live till the morning." Then William was greatly alarmed; he rose up and stood as a man sorely dismayed. He asked no further news, for it seemed unlikely to bring any good. He was in his breeches and shirt, and putting a cloak around his neck he seized his horse quickly, and was soon on the road. I know not whether he even stopped to seek for his spurs, or whether he took any companion of his flight, but he hastened on till he came to the fords nearest at hand, which were those of Vire, and crossed them by night in great fear and anger.

From thence he bent his way to the church of St. Clement, and prayed God heartily, if it were his will, to be his safe-conduct, and let him pass in safety. He dared not turn towards Bayeux, for he knew not whom to trust; so he took the way which passes between Bayeux

<sup>1</sup> *Wace's Chronicle*, ed. Taylor, London, 1837. *Roscoe's Life of William the Conqueror*, et loc. cit. Roscoe fixes the date at 1044.

and the sea. And as he rode through Rie,<sup>1</sup> before the sun rose, Hubert de Rie stood at his gate between the church and his castle and saw William pass in disorder, and that his horse was all in a sweat. "How is it that you travel so, fair sire?" cried he. "Hubert," said William, "dare I tell you?"<sup>2</sup> Then Hubert said, "Of a truth, most surely! say on boldly."<sup>3</sup> "I will have no secrets with you; my enemies follow, seeking me, and menace my life; I know they have sworn my death." Then Hubert led him into his hostel and gave him his good horse, and called forth his three sons.<sup>4</sup> "Fair sons," said he, "*Muntez! muntez!* Behold your lord, conduct him till ye have lodged him in Falaise; this way shall ye pass, and that it will be ill for you to touch upon any town." So Hubert taught them well the ways and turnings, and his sons understood all rightly, and followed his instructions exactly. They crossed all the country, passed Folpendant at the ford, and lodged William in Falaise. If he were in bad plight, what matters so that he got safe?

Hubert remained standing on his bridge; he looked out over valley and over hill, and listened anxiously for news, when they who were pursuing William came spurring by. They called him on one side, and conjured him with fair words to tell if he had seen the Bastard, and whither and by what road he was gone. And he said to them, "He passed this way, and is not far off; you will have him soon: but wait, I will lead you myself, for I should like to give him the first blow. By my faith I pledge you my word that if I find him I will strike him the first if I can."<sup>5</sup> But Hubert only led them out of their way till he had no fear for William, who was gone by another route. So when he had talked to them enough of this thing and that, he returned back to his hostel.

<sup>1</sup> Rie or Rye originally signified a river or a place by a river.

The name of this village was doubtless given it by the Normans on their settlement there, for it is found not unfrequently in Denmark, &c.

Three remarkable examples of this transplantation of names are these—that there are now places called Rye and Dover in Skanderborg, Rye and Douvre in Normandy, and Rye and Dover in England.

<sup>2</sup> From Wace's account it would seem the Duke knew Hubert; but Roscoe makes the Duke, on being questioned, ask Hubert who he was.

<sup>3</sup> "I will consult your safety as much as if you were in my own skin."—*Roscoe*.

<sup>4</sup> "All of them noble chevaliers."—*Roscoe*.

<sup>5</sup> Roscoe says he affected ignorance of their scheme and conducted them in a contrary direction, urging them to speed with ironical cries of "Ride sharp, we shall come up with him soon!" He quotes M. de Bras, *Nouv. Hist. de Normandie*, and Walsingham.

The conspirators mentioned in the above narrative were Guy of Burgundy, Neel de Costentin, Hamon-as-dens, Grimoult del Plesseiz, and Renouf de Bessin,<sup>1</sup> five very powerful barons, and their rising was so formidable that Duke William could not enter the Bessin or demand rent or service; so he went to France, and complained to King Henry. Returning in force the Duke routed the rebels, slew Hamon-as-dens and others, and at length restored tranquillity.

Ever after this Duke William seems, not unnaturally, to have greatly favoured Hubert and his family, whom it would seem he attached to his Court.

The next we hear of them is shortly before the death of Edward the Confessor, who we are told<sup>2</sup> sent a message by one Goscelin of Winchester, a merchant, to William, requesting him to send over some trustworthy person on his behalf, to whom might be committed anything he (Edward) wished. On receiving this message William called a great council together, apparently with the object of choosing an ambassador to send to Edward as requested; but all, as they remembered "what had been done at Guildford,"<sup>3</sup> refused to visit the barbarous people," and the Duke would have been at a loss whom to employ in a matter of such importance, had not Hubert de Rye spontaneously offered to take the risk and the office.

Praised by all, and rewarded by the Duke, he set out, as the chronicler tells us, with a large attendance and great pomp, with splendidly trapped horses and a gallant following of picked men gorgeously dressed in silken and coloured vestments.

He was well received by Edward, who granted him possessions in Esce (Ash in Hampshire). When his conference with the King was ended, and he had received his instructions, he returned to Normandy, taking with him tokens by which William was

<sup>1</sup> De Bessin was superior lord of the village of Rye, and Hubert held immediately under him.

<sup>2</sup> By the Chronicler of St. John's Abbey, Colchester, (founded by Eudo de Rye,) who gives a most elaborate history of the whole of the Rye family. The chronicle is printed at length by Dugdale in his *Monasticon*, and the original is preserved in the Cottonian Library, Nero D. viii.

<sup>3</sup> This refers to the massacre of the Norman companions of Edward son of Ethelred at Guildford, not so very long before.

declared heir to Edward, viz. a two-handled sword with a hilt in which were inclosed the relics of certain saints, a hunter's horn of gold, and a great stag's head.

For his success in this embassy he was much praised by the Duke, who promised him the office of steward or dapifer; but shortly after William had proved Edward's nuncupative will at Hastings<sup>1</sup> a disturbance arose in Cænomanica, and he sent Hubert there to restore peace, "because he was prompt of hand and good at council."

This is the last we hear of Hubert, who must then have been an old man, and who probably never again visited England.

Hubert left four<sup>2</sup> sons: Ralph, Hubert, Adam, and Eudo, and a daughter Albreda, and of them and their descendants I shall proceed to speak separately:—

1. *Ralph de Rye*, his eldest son, (who was otherwise known as Fitz-Hubert, which second name was also used by his brothers Adam and Eudo,) held thirty-six manors in Derbyshire alone, the head of his barony being at Crich, and it would seem he had a grant of all the possessions of Levenot, a wealthy Saxon, in that county. He also held lands in the counties of Leicester, Stafford, Nottingham, and Lincoln; was made by the Conqueror governor or castellan of Nottingham castle, and was one of the most powerful barons of the period.

I think I have proved conclusively enough in *Notes and Queries* (3rd Ser. vol. v. p. 414) that this Ralph Fitz-Hubert was not hung for divers crimes and cruelties in 1140, as Dugdale, Sir F. Madden, and others have stated, and need not repeat my arguments here further than to point out that, as Ralph de Rye was old enough in 1044 to be the Conqueror's guide across country, he must have been dead long before 1140; that the culprit's real name was *Robert* Fitz-Hubert, and that he was a Flemish mercenary, and not a Norman gentleman.

<sup>1</sup> The name of *Rie* appears in Holinshed's copy of the roll of Battle Abbey and that of *Ry* in one of Leland's.

<sup>2</sup> Taylor, in his edition of Wace before referred to, says he had five sons, the fifth being Robert de Rye, a bishop. But he quotes no authority for this statement, which if correct would surely have been mentioned by the Colchester chronicler, who must have been intimately acquainted with the family.

Ralph de Rye (*alias* Fitz-Hubert) was the father of *Ralph Fitz-Ralph*, baron of Crich, temp. Henry I. who, by his wife Matilda, afterwards a nun at Thurgarton, had (besides two daughters, one of whom married Geoffrey de Constantine, and the other, Juliana,<sup>1</sup> married Peter de Wakebridge,) a son,

*Hubert Fitz-Ralph*, baron of Crich, who died about 3 Hen. III. having married first Edeline, daughter of William Fitz-Ralph of Alwoldestone (of a totally different family), and secondly Sara. He died without male issue, leaving two daughters his co-heiresses. The eldest, Juliana, married Anker de Frecheville, lord of Alva-stone and Thurlestone, and died 6 Hen. III. From her descended the noble family of Frecheville of Staveley,<sup>2</sup> Gervase Holles the antiquary, and others. The other sister married Henry de Stuteville, and also had issue.

So ended the senior male line of the Derbyshire Ryes;<sup>3</sup> but a junior branch was long settled at Whitwell, which was one of the manors Ralph de Rye held when Domesday was taken.

*Ranulph de Rye* of Whitwell, in 29 and 30 Edward I. (1301-2), levied and took fines of the manor and advowson of Whitwell to and from William de Thurleby—the first fine probably being to secure some loan by the latter to Ranulph, and the second to reconvey the property on the repayment of the money.

In 1330 he, or another of the same name as himself, stated in answer to a *quo warranto* that his ancestors had held Whitwell manor, and possessed a park there, from time immemorial. (*Placita de Quo Warranto*, p. 156.)

*Ranulph Rye* of Whitwell, who died 8 Henry VI. (1430), possessed of the manor and half of the church of Whitwell, land at Barleburgh, Cresswell Mill, &c. (*Inquis. post mortem*) by his wife Katherine (who, after his death, married William Bukby, and died 18 Hen. VI. 1440), had a son,

<sup>1</sup> Her granddaughter Alice, daughter of William de Wakebridge, married Lord Beler of Criche.

<sup>2</sup> A very elaborately illustrated pedigree of these Frechevilles, tracing their descent from the FitzRalphs, will be found in the *Collectanea Topog. et Genealogica*, vol. iv.

<sup>3</sup> The FitzRalph arms are said by Banks to have been "Or, two bars azure," but the late F. L. D. B. Dykes, esq. as representing the Frechevilles, always quartered them as "Or, two chevrons azure."

*Ranulph Rye* of Whitwell, who was born about 1421, and whose age was proved 23 Hen. VI. (1445). On the 24th May, 2 Edw. IV. (1463), he, described as Randle Rye, gentleman, joined with John Sanford and Hugh Annesley in a bond for ten marks, to be paid to Robert Illyngworth. (Close Roll, 2 Edw. IV. m. 21.) He, like his ancestors, was lord of Whitwell, and dying in 1482 lies buried in Whitwell church, where there was lately a monument to his memory.

*Cuthbert Rye* of Whitwell (presumably his son), who died on the 20th Oct. 17 Hen. VII. (1502), by an Inquisition post mortem held 30th Oct. 20 Hen. VII. was found to have died seized of the manor and advowson of Whitwell, land at Barleburgh, and half the mill at Cresswell. He was the father of

*Randle Rye* of Whitwell,<sup>1</sup> born before 1481, as he was aged 24 years and more when the last-named inquisition was taken. He married Anne, daughter of Robert Eyre, esq. of Holm Hall, and by her had, besides a son Nicholas and a daughter Elizabeth (who married John Revell, esq.), a son and heir,

*Brian Rye* of Whitwell, who by his wife Jane Eyre (probably a relation of his mother), had, besides two other sons Roger and John, a son and heir,

*Edward Rye* of Whitwell, who sold Whitwell in 1583 to Richard Whalley, and, leaving the spot where his ancestors had been settled for exactly 500 years, is lost to sight altogether, unless he is identical with the Edward Rye, esq. of Hardwick, in the county of York, who bought the manor of Hardwick of Geo. Mirfield *ante* 1692. (*Vide* Star Chamber Proceedings, 44 Eliz. Rye v. Clarke.) By the pedigree in Harl. MS. 1093, fo. 81,<sup>2</sup> it would appear he had issue by his wife Maud, daughter of John Wentworth, esq. of Elmsall, a son and heir Francis and a daughter Susanna, but the pedigrees in the Harl. MS. 1537, fo. 16b (by Flower, Norroy, in 1575), and Egerton MS. 996, fo. 75, agree in giving him two daughters only, Francisca and Sara.

The arms of these Whitwell Ryes, as given in the Visitations

<sup>1</sup> The pedigrees in the Heralds' Visitations begin with this Randle.

<sup>2</sup> "The Visitation of Darbyshire, 1611, by Richard St. George, esq. Norroy King of Arms, together with one made in 1569."

quoted above, are Gules, on a bend ermine three rye stalks; and the crest, a cubit arm erect, vested purple, cuff argent, holding in hand proper three rye stalks or.<sup>1</sup> Burke (in his *General Armory*) states the rye stalks on the bend to be sable, and ascribes a second or additional crest to the Whitwell family, viz. an ostrich feather enfiled with a ducal coronet proper.

II. *Hubert de Rye*, second son of Hubert de Rye the first, was governor or castellan of Norwich castle, a crusader, and a part founder and great benefactor of Norwich Cathedral. As I shall treat of his descendants hereafter at length, I now pass on to

III. *Adam de Rye*, third son of Hubert de Rye the first. Of Adam we know little, except that he was one of the commissioners for taking Domesday Book, being associated in that duty with Remigius Bishop of Lincoln, Earl Walter Giffard,<sup>2</sup> and Henry de Ferrers. (Brady's Hist. Engl. vol. i. p. 205.)

He held considerable property in Kent under the Bishop of Bayeux and others, but whether he left descendants or not I do not know.

Banks, in his *Barones Rejecti* (vol. iv. p. 241), surmises that William de Rye, who in 33 Hen. III. (1249) had a charter of free-warren for his manor of Rye in Sussex, may have been descended from this Adam; but it is clear this William took his name, as of locality, from his manor of Rye,<sup>3</sup> and not from any ancestor.

<sup>1</sup> The Norfolk Ryes bore exactly the same arms, but a slightly different crest, the arm being from the shoulder, bent at the elbow, vested sable, cuff gules, and holding a single ear of rye only.

<sup>2</sup> Grandfather to his brother Eudo's wife.

<sup>3</sup> This town of Rye, I may here mention, is, genealogically speaking, the curse of my life, for it gives name to whole broods of Ryes in no way related to the stock whose history I am now relating, who by their numbers render a name, which would otherwise be very uncommon and easily traced, a comparatively common one in the southern counties.

Of these the most numerous are the Ryes of Faversham (who have been settled there since 1617, if not earlier), of Throwley, and of Canterbury, from which last-named place comes William Brenchley Rye, esq. the able and talented Curator of Printed Books in the British Museum. He and his brother, Dr. A. B. Rye of Banbury, are sons of Arthur Rye, esq. surgeon, of Rochester, and bear the Derbyshire Ryes' crest and the motto, "Nunquam sine patientia."

The parish register of Newenden (Kent) shows the transition of the name very clearly, giving it in 1572 as à Reye, in 1579 as à Rye, and in 1654 as Rye.

IV. *Eudo de Rye* (better known as Eudo Dapifer,<sup>1</sup> and sometimes as Eudo Fitz-Hubert), the youngest of the four brethren, would seem, from the high position to which he raised himself, the great alliance he made, and the instance of political dexterity (mentioned hereafter) with which he is credited, to have been a man of considerable talent. Besides receiving very large possessions, especially in Essex, but also in the counties of Norfolk, Suffolk, Herts, Cambridge, Berks, Bedford, Northampton, &c. he obtained the high hereditary office of Steward, Dapifer, or Master of the Household, which, as we have seen, William the Conqueror had promised his father.

The way he finally received this office is remarkable.<sup>2</sup> William Fitz-Osbern, who held the honour by hereditary right, once placed before the King, by virtue of his office, at a feast, a crane so raw that it was bloody, which highly enraged the King, who abused him roundly, and struck at him. Eudo, who was standing by, interposed,<sup>3</sup> and parried the King's blow, which was such a fierce one that the pain of it made tears stand in Eudo's eyes, "though against his will." But, although Fitz-Osbern had been spared the indignity of a blow, he angrily and instantly resigned his office, requesting that Eudo might have it. This request, coupled with the promise of the reversion already made by the King, secured Eudo the place—if, indeed, the whole affair, blow and all, were not an arranged thing between the King and Eudo to get rid of Fitz-Osbern.

This took place before the year 1074, as a charter of donation of that date to Bayeux is witnessed by him by the style of Eudo Dapifer.<sup>4</sup>

When the Conqueror died at Caen, Eudo, losing no time in vain regrets over an old master, was the very first person to leave Normandy for England, and on landing hastened to Winchester, and persuaded William de Pont de l'Arche, the Keeper of the

<sup>1</sup> Curiously enough it seems there was another Eudo Dapifer, known as *Eudo cum capello*, son of Turstan Haldue and Emma his wife. (Taylor's Wace, p. 213.)

<sup>2</sup> I am again quoting the Colchester MS.

<sup>3</sup> The family motto, "*Sui victoria indicat Regem*," seems to point to this incident; but I believe the motto is of comparatively late assumption.

<sup>4</sup> Mem. Ant. Normann. viii. 436.

Royal Treasury there, to give him up the keys of it, which he retained; and hurrying first to Dover, and then to Pevensey, Hastings, and all the other important castles on the south coast, made those who held them faithfully swear to give them up to no one without his consent, pretending that the Conqueror was still alive, and had sent him over to take possession of them for greater security. This being done, he hastened back to Winchester, made known the Conqueror's death, and handed the Treasury keys to William Rufus, who was immediately proclaimed King, owing his quiet accession to the interest of Lanfranc and the prompt measures of Eudo.<sup>1</sup>

For this good service the Red King retained him in his office of Dapifer, and granted him the town of Colchester, where he fixed his residence, his house traditionally being in the High Street, opposite the Moot Hall. He is said to have built the celebrated keep of Colchester Castle, which is the largest keep in England, being double the size of the White Tower, London.<sup>2</sup> I cannot say that it seems like Norman work to me; but it would be presumption for any one as unskilled in architecture as I am to give a positive opinion on a building which has long been a *cruæ* for antiquaries.

The noble Abbey of St. John of Colchester—the beautiful gatehouse of which only now remains—was, however, doubtless founded and richly endowed by him;<sup>3</sup> and it is to the care of some grateful monk belonging to it that I owe the splendid MS. history of the family and the abbey before referred to. The spot on which Eudo was to build it was pointed out to him by a miracle. A heavenly light, a red glow, had long lit up nightly a little chapel dedicated to St. John the Evangelist, and one day

<sup>1</sup> Carte's *History of England*, vol. i. p. 452; Brady's History, p. 217-8.

<sup>2</sup> This view is taken in the *Quarterly Review*, June 1855, p. 19.

<sup>3</sup> His charter of endowment will be found in Dugdale. Among other gifts is the church of St. Mary of West Cheping, London, with the consent of a priest placed there by Hubert de Rye.

It is rather remarkable that both this church and Ash (the Confessor's gift to Hubert), which are the only possessions we know Hubert the first had in England, should have passed to his youngest son Eudo.

In 1291 John de Rye (one of the Essex family) gave the abbey lands in Leyre de la Hay.

the heavy chains of a prisoner who was present there during the celebration of mass flew off, as far as the fourth or fifth person that stood by, and left him free.

Here, then, he erected an abbey on a scale of great magnificence, though, strangely enough, he had considerable difficulty in peopling it,<sup>1</sup> as will be seen by reference to the account in Dugdale's *Monasticon*. Here also he founded a leper hospital.

He died in the year 1120, at the castle of Preaux in Normandy, at a good old age—on his deathbed “often confessing his sins, always penitent, always lamenting, often absolved, and often instructed.” Henry the First was by his side when he died, and gave him his advice and consent in the division of his property, of which he left to his favourite abbey his gold ring with a topaz, a standing cup adorned with gold plates, his horse, and his mule. As his body was brought over to England, and was entering Colchester from the west, that of his nephew Walter met it being brought in from the north, and they were both honourably buried together (of course within the abbey) on the 1st of the kalends of March, 1120.

He married<sup>2</sup> Rohaisa, daughter of Richard FitzGilbert, Justiciary of England (by Rohaisa, daughter of Walter Giffard, Earl of Buckingham,) who was the son of Gislebert Crispin, Earl of Brion, the son of Geoffrey, natural son of Richard first Duke of Normandy.

His only child and heiress, Margaret de Rye, married William son of Geoffrey de Mandeville, and her son Geoffrey, Earl of Essex, was Steward of Normandy by right of his mother. From her sprung the Lacies, Earls of Lincoln, and of later years the Lords Clinton, Say and Sele, &c.

v. *Albreda de Rye*, only daughter of the first Hubert de Rye, married Peter de Valoignes, the Conqueror's nephew, and founded Binham Priory in Norfolk. Their descendants made the castle of Oxford the principal seat of their Barony.

<sup>1</sup> One of those who eventually came was a priest called William, a kinsman of Eudo, but how I know not.

<sup>2</sup> He seems to have been married at Westminster, for a charter printed at p. 88 of vol. ii. of the Chron. and Mem. of Great Brit. and Ireland is witnessed thus, “Teste Eudone dapifero apud Westmonasterium in nuptiis meis.”

## THE FAMILY OF IPSTONES OF IPSTONES, STAFFORDSHIRE.

NOT having met with any complete pedigree of this family I offer the following, rather however with the view of eliciting than of supplying information.

Erdeswick in his *Survey of Staffordshire* (ed. 1844, p. 139,) noticing a place called Cresswell in that county, says it was anciently possessed by a race of gentlemen of the same name, and that it afterwards came, *as he supposed by descent*, to John de Withers who called himself Ipstones. That John de Withers *alias* Ipstones had issue William, who had issue Alice wife of Ranulph Brereton.

Again (in p. 499) speaking of Ipstones, anciently Hulstone, he says that in 20 Conq. it was holden of the King by Robert de Stafford, and "about Edward the First's or Second's time one Sir John de Ipstones, knt. whose father had married the daughter and heir of Sir Henry de Cresswell, knt. (an alliance which in a previous page he had only suggested,) was lord thereof. Sir John had William, who lived 22 Rich. II. and had issue Alice his daughter and heir, married to Sir Raufe Brereton."

Over and Nether Tene in the same county were also holden temp. Domesday by Robert de Stafford, and subsequently by Robert de Beke; whose descendants continued there for several generations until the daughter and heiress of Sir Nicholas Beke carried them in marriage to Sir Robert Swinnerton. The daughter and heiress of Sir Robert Swinnerton (son, according to Erdeswick, of the above Sir Robert), Maud by name, was married first to Ralph Peshal and afterwards to Sir John Savage. The descendants of these two persons, we are informed, had long contentions about Beke's lands, but eventually it was arranged that Peshal should take Over Tene and Savage Nether Tene.

In the Harl. MS. 2187 is a pedigree of Brereton of Honford in which are included some descents of Ipstones. William son

of John de Ipstones, it appears, married Margaret daughter and heiress of Thomas Corbet of Wattlesborough, and by her was father of Alice married to Brereton. Brereton here quarters, with others, Argent, a chevron between three crescents gules, for *Ipstones*; and Or, a raven sable, for *Corbet*.

Now, according to several authorities, Maud the heiress of Swinnerton had another husband, William de Ipstones, and by him had issue William, who died without issue 1 Hen. IV. leaving Christiana, then aged 6, and Alice aged 3 (afterwards married to Ranulph Brereton), his sisters and heirs.

In Dr. Howard's *Miscellanea Genealogica et Heraldica*, i. 220, is an old pedigree<sup>1</sup> of Dod of Edge in which occur several descents of Brereton. The atchievement there given for the two coheir-esses of Ipstones contains six coats as follows:—

1st. Argent, a chevron between three crescents gules.

2nd. Ermine, three mascles gules.

3rd. Or, a raven sable.

4th. Argent, a cross formée flory sable.

5th. Gules, a cross ermine.

6th. Gules, a chief azure, over all a lion rampant or.

The 3rd quartering here is clearly *Corbet*, and the 4th is *Swinnerton*. The 5th is attributed by Mr. Papworth to Sir Nicholas *Beke*, of Tene, co. Stafford, 1352, and was therefore brought in by Swinnerton; and the last seems to be the coat of *Hastang*.

The second quartering in this shield I have had some difficulty in appropriating; but the heraldic dictionaries attribute Ermine, three mascles fesseways gules, two and one, to *Blumhill* of Cheshire. Following up this clue, I found in the *Calendarium Genealogicum* an abstract of a post mortem inquisition taken on the death of one Margery de Blumenhall in 43 Hen. III. (1259) from which it appears that Philippa wife of Galfridus de Bromley, then aged 30, was heiress to three parts of Margery's lands in Staffordshire,

<sup>1</sup> In this pedigree Maud Swinnerton has four husbands, first, Sir John Savage; second, Sir Piers Legh of Lyme; third, William Ipstones; and fourth, Humphrey Peshal.

and John son of William de Ipstones, then aged 26, to the other fourth part.

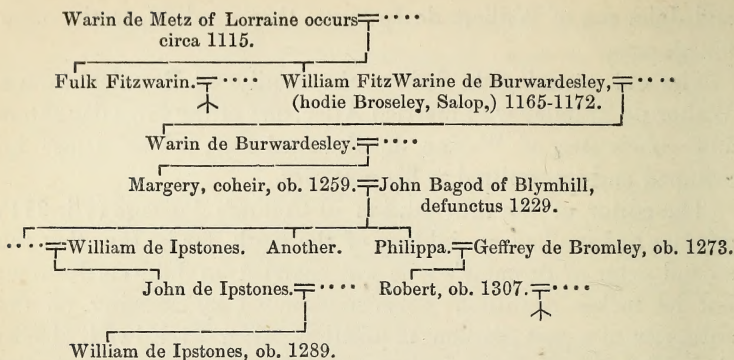
The old genealogists deduce the family of Bromley from a Walter de Bromley who married Alice, one of the three daughters and coheiresses of Warine de Burwardesley, whose arms<sup>1</sup> he assumed and transmitted to his posterity.

The editor of the fifth edition of Collins's Peerage (vii. 311) appears to have had an inkling of the truth, for he says that the second sister of Bromley's wife was married to John de Ipstone; but he makes confusion worse confounded by asserting, on the authority of a post mortem inquisition taken 21 Edw. I. (1393) that John son of John de Ipstone died without issue, and that Galfridus de Bromley, son of Walter and Alice, *née* Burwardesley, "was found to be his heir."

So far, however, from this being the fact, we learn, from the very inquisition to which he appears to refer, taken after the death of William de Ipstones, "*nuper defunctus, de custodiâ terræ et maritagio hæredis,*" that John de Ipstone was the son and heir of the said William deceased, and was at Easter 20 Edw. I. (1292) of the age of 8 years, and that his disposal in marriage belonged to the King, "*ratione custodiæ manerii de Blumenhull,*" and not to Theobald de Verdon. One Warinus, says Erdeswick, held Blimenhull 20 Conq. of Robert de Stafford. In Henry the Second's time William Bagod was its lord, and in 9 Edw. II. (1316) John de Ipstones was lord thereof. This would be the John mentioned in the above inquisition.

The true origin of the Bromleys and their connection with the de Burwardesleys is given by Mr. Eyton in the second volume of his *Antiquities of Shropshire*, p. 12. He shows that the lady whom Bromley married was one of the daughters, not of Warine de Burwardesley, but of John Bagod of Blynhill, co. Stafford, by Margery de Burwardesley, daughter and coheiress of Warren son of William Fitzwarren de Burwardesley, a son of Warine de Metz, from whom also derived the Lords Fitzwarren, whose arms were, Quarterly per fesse indented argent and gules.

<sup>1</sup> Quarterly per fesse indented gules and or. The other two coheiresses, Margery and Mabel, are stated to have been married to Leighton and Besyne, both which families subsequently bore, with some trifling variations, the coat of Burwardesley.



An inquisition was taken in the 27th Hen. III. (1243) on the death of one Roger de Burwardesley, when the jury found that Mabel, Alice, and Margery, his sisters, were his next heirs, and that the wife of Philip de Burwardesley "dotata est." Philip was a brother of the three coheiresses, and died s. p. His younger brother Roger, it appears from the above inquest, died likewise issueless.

Mr. Sleigh in his *History of Leek* further illustrates the Ipstones pedigree. He declares that the manor of Ipstones shortly after the Conquest belonged to the baronial family of Verdon of Alveton, having previously been the property of Robert de Stafford. Bertram de Verdon, or, according to Loxdale, Ralph son of Bertram, by his deed (s. d. but circa temp. Hen. II.) gave it to his brother William, "who assumed the local name," and several charters are referred to in which he is mentioned as William Verdun de Ipstones, William D'nus de Ipstones, &c.

In 10 Edw. I. (1281-2) a William son of John de Ipstones occurs, and next we meet with John de Ipstones *miles* (1375-8), "alias Sir John de Withers al' Ips'" who was living in Cresswell temp. Edw. III., his father (says Mr. Sleigh, following Erdeswick) having married the daughter and heir of Sir Henry Cresswell. He was father (he continues) of William (1398-1400) whose daughter Alice carried the manor temp. Hen. VI. to Ranulph Brereton.

It further appears that in 17 Rich. II. (1394) one Roger Swinnerton was in prison, charged with the murder of John de

Ipstones, knight of the shire for Stafford, who was slain on his way up to parliament.

Now we have here materials for the following pedigree.

William de Ipstones (?son of William Verdon de Ipstones). . . . dau. and heir of John Bagod of Blymhill.

John, æt. 26, 1259. . . .

William, "nuper defunctus," 1292, . . . .  
(ob. 1289. *Eyton.*)

John, son and heir, æt. 8, 20 Edw. I., born 1284. Lord of Blymhill 9 Edw. II. 1316. . . .



The John de Withers alias Ipstones who was living at Cresswell in 1375, and who was slain by Swinnerton about 1394, could scarcely, I think, have been a son of the John who was born in 1284.

Whence the name Withers? May not Sir John have been the son of a person of that name by an heiress of Ipstones?

The arms born by several families of Wither and Withers are, Argent, a chevron sable between three crescents gules, differing only in the tincture of the chevron from those of *Ipstones*.

"Ilam," says Erdeswick, "was sometime the property of the Ipstones family, from whom it descended to the Walkers, in which name it continued for a good space until this our age." It seems, therefore, that a Walker married an heiress of Ipstones.

I presume there is no affinity between the surnames Walker and Wither, but it is a curious fact that several families of the former name bear a chevron between three crescents.<sup>1</sup>

Such is all I have been able to learn about the family of Ipstones. I send it to you in the hope that some of your readers may be able to add to what I have here gathered, and especially to confirm or refute the alleged connection with Corbett of Wattlesborough and Swinnerton.

H. SYDNEY GRAZEBROOK.

*Stourbridge, May 1869.*

<sup>1</sup> It is somewhat remarkable that the families of Wither, Weyer, Weyerall, Werall, Worrall, Rythre, Ryder, Wahull, Wodhull, Woodhall, Odell, and Ogle, all bear crescents.

## WOLVERTON,

Of Wolverton, co. Bucks, and Wicken, co. Northampton.

ARMS: Azure, an eagle displayed or, debruised by a bend gules.

Maino Brito, Lord of Wyke Hamon (Wicken),= . . .  
 Thetford, &c. co. Northampton, and of Wol-  
 verton, &c. co. Bucks (temp. Will. Conq.)

Manfelin de Wolverton, Sheriff of Bucks and Beds= . . . sister of William Warren, Earl Warren  
 (temp. Hen. I.); founded Bradwell Abbey, co. and of Surrey.  
 Bucks (temp. Stephen.)

Hamon FitzManfelin de Wolverton, grandson of Matilda, dau. of . . . Mauduit of Hanslope, co.  
 Maino; certified his barony 14 Hen. II. 1167; Bucks, a widow, æt. 46, 31 Hen. II. 1185.  
 ob. May, 31 Hen. II. 1185.

1st wife, dau.=Hamon FitzHamon FitzManfelin de=2nd wife, Agatha, 3rd sister and coheir of Robert  
 of . . . Wolverton, ob. 10 Ric. 1199. Trosbut, ob. s.p. 31 Hen. III. 1246-7. She  
 married, 2ndly, William de Albini of Belvoir, co.  
 Leicester.

1. Sir William FitzHa=Helewise, dau. of . . . 2. Sir Alan FitzHamon= . . .  
 mon de Wolverton, ob. who mar. 2ndly, Ralph de Wolverton, brother  
 s.p. 31 Hen. III. 1249. de Dr. . . . ; liv. 33 Hen. and heir, 31 Hen. III.;  
 III. ob. 32 Hen. III. 1248.

Sir John FitzAlan de Wolverton, ob. 24 Edw. I.=Isabel, dau. of . . . who had Wyke Hamon  
 1295. In 1272, Sept. 26, he presented Roger de (Wicken) in dower 24 Edw. I. 1295. She  
 Bellafago to the chapel of Wykhamond (Wicken). married, 2ndly, Robert de Arden, living 1295.

Sir John de Wolverton, ob. 15 Edw. III. 1341.= . . . dau. of . . .  
 The last Baron summoned to Parliament.

1st wife, Joan, dau. of=Sir John de Wolverton=2nd wife, Joan, 3rd dau. and coheir of William  
 Bartholomew Peche, ob. 13 July, 23 Edw. III. Combemartin of Stoke Bruern. Her 1st husband  
 mar. 6 Edw. II. 1312. 1349. was Andrew St.Liz, who ob. s.p. 3 Edw. III.  
 1329. She mar. Wolverton 5 Edw. III. 1331,  
 living 25 Edw. III. 1551. She mar. 3rd hus-  
 band Sir John Chastillon of Thornton, co. Bucks.

Joan, da. and Constance, Sarah, Cecily, Ralph de 1st husband,=Elizabeth,=3rd husband,  
 coheir, ob. 17 ob. s.p. 40 ob. 1349, dead 23 Wol- Leonard sister and William de  
 July, 23 Ed. Edw. III. mar. Ed. III. ton, ob. Bekering, coheir of Cogenhoe,  
 III. 1347; ma. 1366, dau. Richard 1349, s.p. 25 or Berking. Wolver- mar. 39 Edw.  
 Hugh Wake and coheir. Basing. mar. Ed. III. 1551. 2d husband,=ton. III.; ob. 12  
 of Clifton, co. Grosset. Camera. Ric. II.

John Wake, coheir of Wol- Adam Basing, Theobald Gros- 1st hus=Elizabeth=2nd husband,  
 verton, who with his copar- set, coheir of band, Grosset, ob. Thos. de Com-  
 censors sold Wyke Hamon Wolverton, ob. William s.p. 50 Ed. li, mar 40 Ed.  
 (Wicken), 1367; living 1376. living 1376. s.p. 1366. Boyes. III. 1376. III. 1366.

## LONGUEVILLE.

Of Overton Longueville, co. Huntingdon, eventually of Wolverton, co. Bucks.

ARMS; Gules, a fesse dancette ermine between six cross crosslets fitché argent.

Walterus de Longueville, Lord of Overton, co. Huntingdon temp. Will. Conq. . . .

Henry de Longueville, of Overton Longueville, cir. temp. Hen. I. . . .

Reginald Longueville. . . .

Henry Longueville. Matilda, dau. of . . .

Sir John de Longueville, living temp. 43 Hen. III. Isabel, dau. of . . .

Henry Longueville, in ward to his mother Dame Isabel. Petronilla, dau. of Roger Lovetoft.

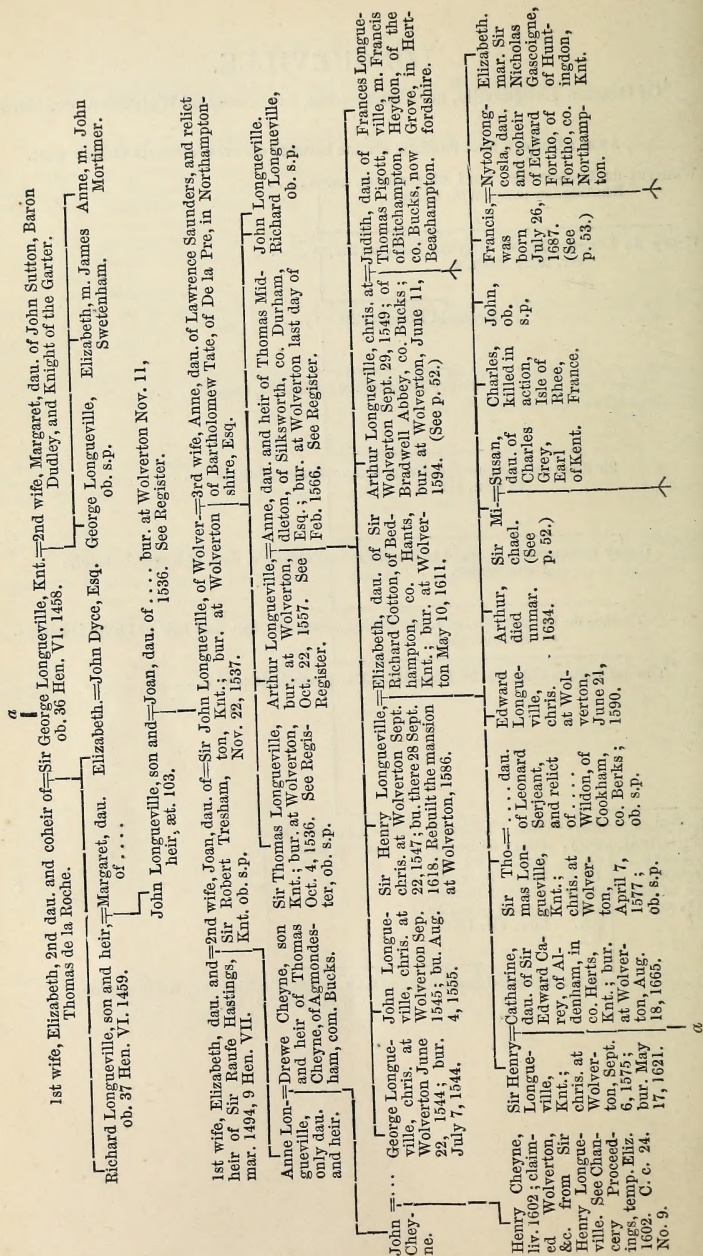
Thomas de Longueville, of Little Billing, co. Northampton. Beatrix, dau. and heir of Philip Hastings.

Thomas Longueville, ob. 35 Edw. III. 1361. Isabel, dau. of . . .

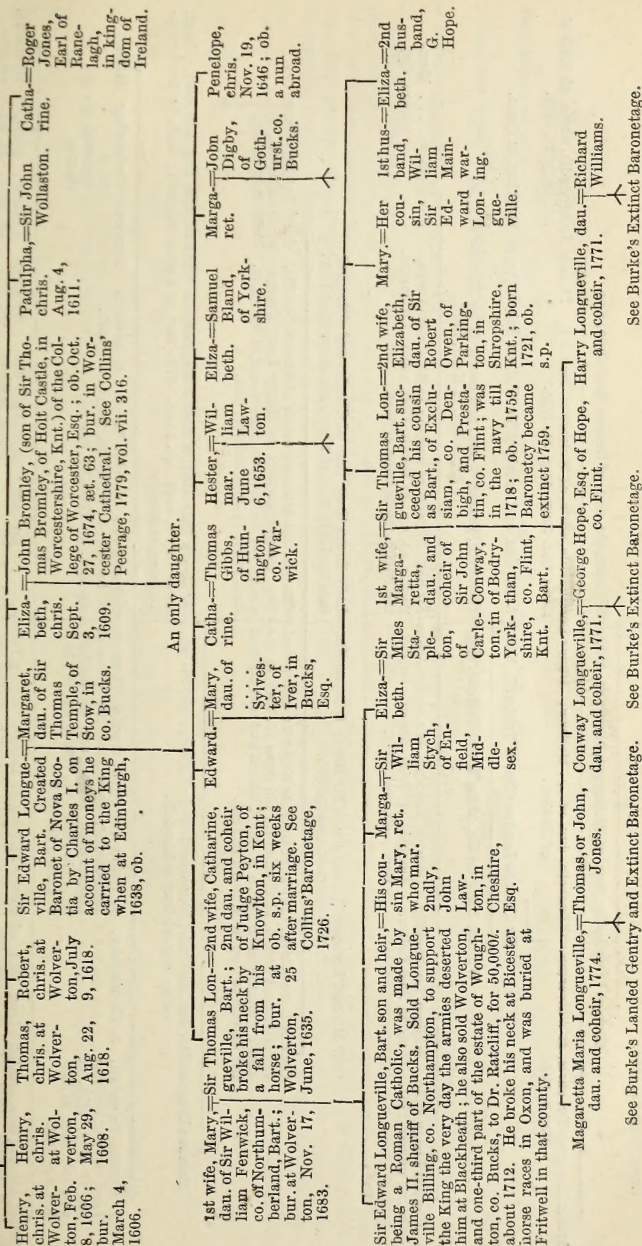
1st husband, John le Hunt, of Fenny Stratford, mar. 25 Edw. III. 1351.	Mar. gery, ob. 1376, sister and coh.	2nd husband, Roger de Louth, mar. 39 Ed. III. 3rd husband, Richard Butter- ley, not living 50 Edw. III. 1376.	John Longueville, son and heir. . . .
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JOAN LE HUNT. JOHN LONGUEVILLE, of Little Billing, co. Northampton,  
ob. 18 Hen. VI. 1440.

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See Burke's Extinct Baronetage.

See Burke's Extinct Baronetage.

See Burke's Landed Gentry and Extinct Baronetage.

Arthur Longueville, 2nd surviving son of Arthur Longueville, of Wolverton, = Judith, dau. of Thomas Pigott, of Bitchampton, co. Bucks, now called Bechampton.  
(see p. 50.) of Bradwell Abbey; Chris. at Wolverton, Sept. 29, 1549; bur. there, June 11, 1594.

Thomas Longueville, bur. at Wolverton, March 22, 1619 = Nightengale, dau. of George Gascoigne, Esq.

Arthur Longueville, Chris. at Wolverton, = Elizabeth, dau. of ... Mathew, Henry Longueville, Chris. at Wolverton, March 6, Thomas Longueville, Chris. at Wolverton, July 23, 1598.  
May 2, 1593. of Cleaver. 1596; bur. there Aug. 25, 1676.

Sir Thomas Longueville, of Bradwell, Knt. = Anne, dau. and coheir of Sir William Ashcombe, of Alvesdon, in Oxon.

William Longueville, of the Inner Temple, Esq. = Elizabeth, youngest dau. and coheir of Sir Thomas Peyton, of Knowlton, in Kent, Bart.

Charles Longueville, William Longueville, 1st wife, Dorothy, dau. of Sir John = Sir Basil Dixwell, of Broome, in Kent, = 2nd wife, Elizabeth. = ... Mompesson, Esq.  
living unmar. 1741. ob. in East Indies. Temple, of East Sheen, Surrey, Bart.; ob. s.p. 25 March, 1750, when Catharine. the Baronetcy became extinct. Bart.; ob. circ. 1713.

Sir Michael Longueville, 5th son of Sir Henry Longueville, = Lady Susan Grey, dau. of Charles and sister and heir to Henry Earl of Kent; the latter died 1639. of Wolverton, (see p. 50.)

Charles Longueville, 13th Lord Grey de Ruthyn; summoned = Frances, 2nd dau. and coheir of Edward Neville, Esq. (cousin german to Henry Lord Aberga-  
to Parliament Feb. 6, 16 Charles I.; ob. June 17, 1643, in the venny.) of Keymer, co. Sussex, and of Margaret, Bedfordshire, Esq.  
king's garrison at Oxford, s. p. m. Claimed and was allowed dau. of Sir Francis Palmer, Knt.  
the Barony of Guy de Ruthyn in 1640.

Susanna Longueville, dau. and heir, Baroness Grey de Ruthyn; ob. 28 Jan. = Sir Henry Yelverton, of Easton Mauduit, co. Northampton, Knt. and Bart.; bapt. there July 6, 1633; ob. 3 Oct. 1670; bur. at Easton Mauduit; M.P. for Northamptonshire, 1659-60. 1676; bur. at Easton Mauduit.

1. Carolus Yelverton, 2. Henry Yelverton, created Viscount = Barbara, dau. of John Talbot, 4. Nevil, b. Frances. = Christopher Maria.  
Lord Grey of Ruthyn; Longueville, April 21, 1690; Viscount of Lacock, in Wiltshire, Esq.: Lord  
ob. 17 May, 1679, of ob. Jan. 31, 1763, æt. 98. Viscount  
&c.; ob. March 24, 1703-4, æt. 40; bur. at Easton Mauduit. Major Carle.

Talbot, son and heir, created = Lucy, dau. of Henry Pelham, of Lewes, Henry Yel = ... Barbara = Reynolds Cal-  
Earl of Sussex, Sept. 26, in Sussex, Esq. Clerk of the Pells, younger verton, ob. dan. of Susanna, Anne, ob. un-  
1717; ob. Oct. 27, 1730-1; brother of Thomas Lord Pelham; ob. in 1755. Major Carle. married. mar.  
Earl Marshal by deputy. childbed May 25, 1730, æt. 35.

Earls of Sussex, extinct 1799. Vide the late Marquis of Hastings. Barbara, ob. young.

Francis Longueville, 8th son of Sir Henry Longueville, and brother—Nytolyongcarla, dau. and coheir of Edward Fortho, of Fortho, co. Northampton, and widow of Samuel Maunsell, Esq.

Martha.—William Fabian. Henry Longueville, of Cosgrave, co. Northampton, . . . dau. of William Smyth, Esq. grandfather to Elizabeth. ob. 1713; chris. at Wolverton, May 29, 1636. Sir Thomas Smyth, of Alkely, in Bucks, Bart. ton, Esq. beth.

Henry Longueville, of Cosgrave, Esq.; living 1741, but had no issue then.—Dorothy, dau. of John King, barrister-at-law.

It is a curious fact in connection with the manor of Wolverton, that from the time of the Conquest to the present time it has never changed hands by purchase but once, and that was about 1712, when Sir Edward Longueville sold it to Dr. Radcliffe, who, at his death, Nov. 1, 1714, (buried at St. Mary's, Oxford,) left it to found what is now known at Oxford as the Radcliffe Library, the Infirmary, Observatory, &c. It is a very rich charity, being an estate of about two thousand two hundred acres, and is vested in the hands of five trustees, who at present are—1. William Stratford Dugdale, of Merevale Abbey and Blyth Hall, co. Warwick, Esq. 2. Thomas Henry Sutton Sotherton Estcourt, of Estcourt, co. Gloucester, and of Darrington Hall, co. York, Esq. 3. Rt. Hon. W. E. Gladstone. 4. Sir William Heathcote, of Hursley, Bart. 5. The Duke of Marlborough.

The trustees have liberally endowed as well as given the ground for a church to be built on at Wolverton Station for the workmen at the works there belonging to the South and North Western Railway Companies.

In Baronetage, by Kimber and Johnson, 1771, vol. iii. 367, Dr. Radcliffe is said to have given 50,000*l.* for the estate; but people who live on the estate and know it well, think that a very much less sum must have been given for it so long ago as 1712.

The only other time this estate appears to have changed hands, or rather families, was when the Longuevilles succeeded to it through having married the eventual heir of the Wolvertons, Joan le Hunt. See Pedigree.—D. C. E.

D. C. E.

## MEMOIR OF THE FAMILY OF EDWIN.

BY JAMES EDWIN-COLE, OF THE INNER TEMPLE, BARRISTER-AT-LAW.

THE family of Edwin has given its name to several places in South Wales and in the neighbouring counties, such as Edwinsford and Llanvihangel-Capel-Edwin in Carmarthenshire, Edwin-Loach and Edwin-Ralph in Herefordshire. Of their early seigniors however we know nothing, for English heralds have been content to commence the Edwin genealogy with a worthy Thane, one Ralph Zeddefen, Yedefen, or Edwin,<sup>1</sup> living in the reign of Henry III., who bore the arms of, and was consequently reputed to be descended from, Edwyn ap Grono, "Rex Tengan-gl." According to the *Testa de Neville* he held of the Bishop of Hereford one knight's fee in Yedefen, as Edwin-Ralph was then designated, and in Butterley, in co. Hereford. In the early part of the next (fourteenth) century Radulphus de Zeddefen held the manor, and was patron of the church of Collington,<sup>2</sup> which adjoins Edwin-Loach. In 17 Edward III. Zeddefen, or Edwin,<sup>3</sup> held Edwin-Ralph, and in the same year John Edwin was settled at Wistaston,<sup>4</sup> in the parish of Marden, Herefordshire, and by his wife, Isabella (Freeman), living in the 27th of that king's reign, he had a son and successor,

Thomas Edwin, living 5 Henry IV. (1409), who married Margaret, daughter of — Preston, by whom he had an heir,

John Edwin, also of Wistaston, whose wife was Margaret, the daughter of John Pauers. They had issue, Ralph, second son; Walter, third son, who was an ecclesiastic; Henry, 4th son; and an eldest son,

Richard, who succeeded to the patrimony at Wistaston, and had by his wife Joane, daughter of Walter Harman, three sons, viz., 1, Walter; 2, Ralph; and 3, John Edwyn, who in 6 Edw.

<sup>1</sup> Duncumb's *History of the County of Hereford*, ii. 92.

<sup>2</sup> *Ibid.*

<sup>3</sup> *The Heraldry of Herefordshire*, by George Strong, M.D.

<sup>4</sup> Visitations of Herefordshire in 1561, 1569, 1586, as contained in Harl. MSS. 1140, f. 69b; 1159, f. 68b; 1442, f. 71b; 1545, f. 76. All the descents down to the line drawn across page 56 are from these authorities.

IV. married Margaret, daughter of —, and was living in 12 Edw. IV.

Walter Edwin, the heir, married in 17 Hen. VIII. (1526) Margaret, daughter of William Spencer of the co. Salop, and had issue three sons, John, William (of whom below), and Ralph.

The eldest son, John Edwin, was of Wistaston, where he was living in 1608-9. He married Joane, daughter and co-heiress of John Rode of Pembridge, by whom he had—

1. Walter Edwin of Marden, who was bailiff of that manor, and also held two mansion houses, some cottages, and much land of the same. He married firstly, Eleanor, daughter of Lawrence Wellington of Burghill, and secondly, prior to 1576, Joane, daughter of Thomas Carworthy of Tingyll, and left issue<sup>1</sup> (a) John Edwin, born before 1576, and living in 1612, whose wife's name was Lettice; (b) Walter, second son, who bought a messuage and lands holden of the manor of Marden; (c) Anne, who was wife to William Pryce of Valley.

2. John Edwin, who died without issue.

3. Alexander Edwin, who married the daughter and co-heiress of Toby Matthews of Karely, and had a daughter Elizabeth.

4. Elizabeth, who was wife to Thomas Leycott, and had issue John, Thomas, and James Leycott.

5. Katharine, who was wife to William Meredyth of Stanton, and had issue Thomas, William, John, Richard, James, Roger, Anne, and Alice.

We now return to the second son of Walter and Margaret Edwin, viz.:—

WILLIAM EDWIN, who was seated at Holmer, close to the city of Hereford. He married the daughter and heiress of John Evans of Farne, by whom he had issue, a daughter Margaret, and three sons, viz.:—

<sup>1</sup> In Duncumb's *Herefordshire*, ii. 133, under Marden parish, is an account of the Edwins, which agrees with the Visitations, save that it gives the children of Walter Edwin the Bailiff as the issue of his second wife Joane, and omits Alexander, the third son of John Edwin by Joane Rode. Duncumb is in some degree borne out as to Joane the second wife being the mother of the children, by an admittance in 1576 to land holden of the Manor of Marden, which is cited in the Earl of Coningsby's *Account of the Manor of Marden*, and which states that it was to be held by Walter, Joane his wife, and John his son, &c.

1. Walter Edwin of Holmer, who married Anne, daughter of William Holland of Horsley, by whom he had issue in the year 1586 two sons and one daughter, John, Walter, and Joane.

2. Ellis, or Elias, Edwin.

3. John Edwin.

Traditionally of the same stock<sup>1</sup> was WILLIAM EDWIN, of the Field, near Hereford, who was probably a son of the above-named Walter Edwin of Holmer, by Ann, daughter of William Holland, and born after the date of the Heralds' last Visitation. He was father of—

WILLIAM EDWIN or EDWYN, Alderman of Hereford,<sup>2</sup> who “twice underwent the Chief Magistracy as Mayor of that city, lived and died in Reputation, and left a Fair Character behind him.”<sup>3</sup> His wife was “Anne, descended of the family of Mansfield of repute and antiquity,”<sup>1</sup> by whom he left issue two daughters and one son, viz., Anne, living unmarried at Hereford in 1701;<sup>5</sup> Mary,<sup>6</sup> “born in the city of Hereford about 1650, who was first married “to a young gentleman of good family in Shropshire, who was bred a merchant, and in 1682 went to Genoa as a factor, where she accompanied him.” After his death, which occurred in 1693-4, she returned to England, and was married secondly to Sir Edward Dering, of Surrenden in Kent, Knt. and Bart., who was well known as author of several learned treatises, and distinguished as a politician. Lady Dering died on “the 6th July 1699, of cancer, and was buried in the chancel of St. Anne’s Church, Soho, London.”

The son of the alderman of Hereford was—

SIR HUMPHREY EDWIN, who was born about 1642, and, having settled in London, became one of the most eminent merchants of that city. He was elected Alderman of the Ward of Tower; was admitted to the Company of Skinners; served as

<sup>1</sup> See *The Herald and Genealogist*, iii. (1866) p. 494, note; Le Neve’s *Collections*.

<sup>2</sup> *Stowe’s Survey of London and Westminster*, by John Strype, ii. 151.

<sup>3</sup> *The Most Excellent Maria, in a Brief Character of her Incomparable Virtues and Goodness*, by Sir Edw. Dering (8vo. 1701): a curious work, written by her disconsolate husband, to which is prefixed an engraving of Lady Dering from a picture by Mollinarotto.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

Sheriff in 1687-8; received the honour of knighthood by the hand of King James II. at Whitehall on 18th Nov. 1687;<sup>1</sup> was master of the company of Barber-Surgeons in 1688; was called to the civic chair as Lord Mayor in 1697; and the same year was made one of his Majesty's Commissioners of Customs.<sup>2</sup>

*Humph. Edwin May*

Sir Humphrey was of the Presbyterian persuasion, and during his year of office scandalised many by going in his robes of state, attended by the civic functionaries, to More's meeting-house.<sup>3</sup> In the same year the Corporation of London, at his promotion, raised a fund for the poor of the City, to which in 1700 he further contributed 100*l.* a bullock, and a pack of wool.<sup>4</sup> His wife was Elizabeth, sister of Sir Jeremy Sambrooke,<sup>5</sup> Knt. and merchant, of St. Michael Bassishaw, London, and daughter of Samuel Sambrooke of London, merchant (descended of the family of Sambrooke of Sambrooke, co. Salop), and by this dame he had surviving issue five sons and four daughters. Sir Humphrey purchased the considerable manor and estate of Llanmihangel Plâs in co. Glamorgan, and, dying in his 65th year in Dec. 1707, was buried in the chancel of that church.<sup>6</sup> Dame Elizabeth survived him till the 23rd Nov. 1714, being then in her 69th year,<sup>7</sup> and was also interred at Llanmihangel, though her remains were first temporarily deposited on 2nd Dec. at the church of St. Stephen, Coleman Street.

The surviving children of Sir Humphrey and Dame Elizabeth were—

1. SAMUEL EDWIN, esq. of Westminster, Usher of the Court

<sup>1</sup> Le Neve's *Collection of Knights*, Harl. MS. 5802, p. 25.

<sup>2</sup> Thomas's *Historical Notes*.

<sup>3</sup> *Ibid.*; and refers to Rapin, i. 41, 579. See also *Notes and Queries*, N. S. iv. 389.

<sup>4</sup> *A New View of London*, 8vo. London, 1708, ii. 753.

<sup>5</sup> Le Neve's *Collections*.

<sup>6</sup> Monumental Inscriptions at Llanmihangel. All the succeeding generations and particulars are from family information, monumental inscriptions, wills, &c., the Peerages and Gentleman's Magazine, except where otherwise distinguished.

<sup>7</sup> *Ibid.*

of Receipt of Exchequer, and of Llanmihangel Plâs, who married Sept. 1697 the Lady Katherine Montagu, third daughter of Robert third Earl of Manchester, by his second wife Anne, daughter of Sir Christopher Yelverton of Easton Maudit, co. Northampton, knt. and bart. Mr. Edwin died in his 50th year on 27th Sept. 1722, and was interred in the family vault at Llanmihangel, as was also the Lady Katherine, who deceased at her house in Grosvenor Square, London, on 29th Dec. 1731. They had issue Catherine, who died unmarried prior to 1777, and

CHARLES EDWIN, only son and heir, who was born about 1699, and, in addition to the Llanmihangel estates, also inherited those in Surrey, Northamptonshire, and Sussex, which had belonged to his uncle Thomas Edwin of Headley; was one of the Esquires of the Bath to the Earl of Manchester at the installation of the Knights of the Bath on Thursday, 17th June, 1725, and his portrait appears on plate xi. of Pine's Book on the Order of the Bath (folio, London, 1730). He bought the castle, manor, and advowson of Coyty, and other large estates in Glamorganshire; served as Sheriff of Northamptonshire in 1738-9, and in 1741 was M.P. for the city of Westminster; but his election being on 15th Dec. following declared void, he was re-elected in Jan. 1742. At the time of his death, 29th June, 1756, he was M.P. for co. Glamorgan. He married 1st May, 1736, the Lady Charlotte Hamilton, one of the Ladies of the Bedchamber to the Princess Dowager of Wales, and daughter of James fourth Duke of Hamilton and first Duke of Brandon, by his second wife Elizabeth, sole daughter and heiress of Digby Lord Gerard of Bromley. Lady Charlotte died s.p. on 5th Feb. 1777, aged 74, and the estates passed under her husband's will to his sister

ANNE, who was the second wife of Thomas Wyndham of Cromer, co. Norfolk, and of Clearwell-court in Newland, co. Gloucester (descended from Humphrey, fifth son of Sir John Wyndham of Orchard-Wyndham, co. Somerset, and of Felbrigge, co. Norfolk, knt.) by whom she had, *inter alios*,

John Wyndham, younger son, a remainder man under the will of his uncle, Charles; and Charles Wyndham, eldest son,

who under the same instrument succeeded at his mother's decease to all the estates in the counties of Glamorgan, Northampton, Sussex, and Surrey, which last he and his son, Thomas, sold in 1784.<sup>1</sup> He took the name of EDWIN; was for many years M.P. for Glamorganshire, and died at Reddish's Hotel, St. James's-street, London, on 16th June 1801. His second wife Charlotte, daughter of Robert Jones of Fonmon Castle, co. Glamorgan, and relict of Thomas Ashby of Isleworth, and of Colonel Charles Mawhood, survived him till 6th June 1816, when she died in Pall Mall in her 79th year, and was buried with her first husband in Isleworth church;<sup>2</sup> but by his first wife, Eleanor, daughter of General Rooke of Bigsweat, co. Gloucester, he had an only son and heir, Thomas Wyndham, M.P. for Glamorganshire, who restored the castle of Dunraven; married Anna Maria,<sup>3</sup> daughter of Thomas Ashby, and had an only daughter and heiress, Caroline, who was married 27th Dec. 1810, to Windham Henry Wyndham Quin, who by permission of the Prince Regent, 7th April 1815, took the additional surname of EDWIN; and 24th Aug. 1824, on the death of his father, Valentine Richard Quin, Baron Adare, Viscount Mount Earl, and Earl of Dunraven and Mount Earl, succeeded to these several dignities. His lordship, who was one of the representative peers of Ireland, and Custos Rotulorum of the county of Limerick, died 6th August 1850, and had by his wife, who still survives, besides other issue, a son and heir, Edwin Richard Windham Wyndham-Quin, now Earl of Dunraven, K.P. &c., who in 1866 was created a peer of the United Kingdom by the title of Baron Kenry of Kenry, co. Limerick.

2. THOMAS EDWIN (second son of Sir Humphrey) married in 1719 Margaret,<sup>4</sup> daughter of Sir Francis Rolle of Tetherley, co. Hants, and relict of Sigismund Stydolf of Headley, co. Surrey; which lady died 2nd Sept. 1734, without issue, whereupon Mr. Edwin succeeded under her will to her large estates and manors in Headley, Mickleham, Charlwood, Horley, Capel, and Poles-

<sup>1</sup> Brayley and Mantell's *History of Surrey*, iv. 421, 455.

<sup>2</sup> *History of Sion Monastery and Isleworth*, by James Aungier, 8vo. London, 1840.

<sup>3</sup> She was daughter of his stepmother by her first husband.

<sup>4</sup> Brayley and Mantell *ut supra*, and Manning and Bray's *Surrey*, ii. 640.

don-Lacy, in co. Surrey; but as he died intestate in May 1735, these estates passed to his nephew and heir Charles Edwin, as is above stated.

3. CHARLES EDWIN, of Lincoln's Inn, barrister-at-law, (son of Sir Humphrey), "died at his house in Ormond-street, 14th April, 1724, of an apoplexy."<sup>1</sup> His widow Abigail,<sup>2</sup> relict of Edward Lockey, of the Middle Temple, and youngest daughter of Sir Roger Hill, of Denham-place, co. Bucks, M.P. for Amersham 1679, survived him till 17th March, 1757, when she died in her 84th year. By a former wife, whose name has not been recorded, he had a daughter, Martha, married to Charles Dalrymple, brother to Sir Hugh Dalrymple, Bart., and also a son and heir,

HUMPHREY EDWIN, of Lincoln's Inn, barrister-at-law, and of St. Alban's, where he died 7th Oct. 1775. He married Mary, only child of William Thompson of Elsham, co. Lincoln, and by her, who died at St. Alban's, aged 96, on 22nd April, 1801, he had an only child and heiress, Elizabeth, born about 1739, married 6th June, 1754, to Thomas Corbett, of Darnhall-hall, Cheshire, and of Lincoln's Inn, barrister-at-law (son of William Corbett, Cashier of the Navy, the grandson of Thomas Corbet of Nash, co. Pembroke, who was grandson of Sir Vincent Corbet, of Moreton-Corbet), and by him, who died 18th Dec. 1807 (herself surviving till Dec. 1825), she had issue sixteen children, of whom the following only lived to attain full age, viz. :—

1. William Corbett, son and heir, who took by royal sign manual the additional surname of Thompson before his patronymic, and married Jane Eleanor, eldest daughter of Lieut.-Gen. George Ainslie, by whom he had, *inter alios*, a son and heir, Thomas George Corbett, M.P. for North Lincolnshire, who died 25th July, 1868, having had by his wife the Lady Mary Noel Beauclerk, youngest daughter of William eighth Duke of St. Alban's, an only surviving child and heiress, Eleanor Blanche Mary, wife to Colonel John Dugdale Astley, Scots-Fusilier Guards.

2. Edwin Corbett, of Darnhall and Tilstone Lodge, co.

<sup>1</sup> Le Neve's *MS. Memoranda*.

<sup>2</sup> Lipscomb's *Buckinghamshire*, iv. 455.

Chester, who married Anne, daughter of John Blackburne, of Hale, M.P. for Lancashire, and left, *inter alios*, a son and heir, Edwin Corbett, Chargé d'Affaires and Consul-General to the Republics of Guatemala, Nicaragua, Costa-Rica, &c., who married, 2nd Sept. 1863, Emily Isabella Constance Dutton, daughter of James Henry Legge, 3rd Baron Sherborne of Sherborne, and has issue.

3. Elizabeth, died at St. Alban's on 28th Feb. 1807, unmarried.

4. Charlotte, born about 1763, married first, in 1790, to John Bouchier, Captain R.N., one of the Four Captains and afterwards Lieut.-Governor of Greenwich Hospital; secondly, to Captain James Platt, of the Royal South Lincoln Militia; and thirdly, to John Zacharias Saunders Lang, of Keaton in Ugborough, co. Devon. By her first husband she had issue ten children, of whom five were sons, viz.—1. William Bouchier, Commander R.N.; 2. John Bouchier, M.D., E.I.C.; 3. Thomas Bouchier; 4. James O'Brien Bouchier, settled in Canada; who all married and had issue; 5. Julius Bouchier, died young. The five daughters were—1. Anne, who married John S. Hulbert, of Stakes Hill Lodge, co. Hants, and has issue; 2. Charlotte Margaret, who married Richard Parke, Captain R.M., by whom she had a son and heir, Colonel Richard Parke, R.M., &c.; 3. Caroline, who married George Lamburne Greetham, Deputy Judge-Advocate R.N.; 4. Susanna, who married John Cole, of Easthorpe Court, in Wigtoft, co. Lincoln, by whom she had surviving issue two sons and one daughter, viz., John Charles Cole, James Edwin-Cole, and Mary Anne wife of Hugh Williams; 5. Frances, who married John Overington.

5. Caroline, who died unmarried at Footherley Hall, co. Stafford.

6. Susan, died unmarried.

7. Juliana, married to — Case, of co. Norfolk.

4. HUMPHREY EDWIN (son of Sir Humphrey) of Berkshire and of Saville Row, Westminster, by his will dated 3rd Dec. 1747, constituted his niece Catherine sole executrix and residuary legatee, and died 5th of same month, s.p.

5. JOHN EDWIN (youngest son of Sir Humphrey) married 8th April, 1731,<sup>1</sup> Elizabeth, daughter of Sir Roger Bradshaigh of Bradshaigh, Bart. She died 24th June, 1735, aged 37, and he on 4th May, 1753, aged 72, and they were both buried in the church at Headley, co. Surrey. Their children were<sup>2</sup>—

Rachel, who died 23rd Aug. 1733, aged 1 year and 2 months, and Elizabeth, who became his sole heiress.

6. ——— Edwin (daughter of Sir Humphrey) died 15th Oct. 1736, s.p.

7. Anne Edwin died 22nd Oct. 1761, unmarried, and was buried in the church of St. Margaret at Ipswich.<sup>3</sup>

8. Edith was married to William Coney<sup>4</sup> of Walpole, co. Norfolk, and by him, who died 1742, aged 82, had four sons and four daughters. The eldest son was Edwin Coney of Walpole, Sheriff of Norfolk 1734, who died 1755, aged 68, and left issue by Elizabeth his wife, daughter of Charles Turner of Lynn Regis, a son and heir, Robert Coney of Walpole, Colonel of the Norfolk Militia; who died 1801, aged 83, leaving besides daughters a son and heir, Barkham Coney, who married twice, and had issue Barkham and Carlos Coney, who sold the Walpole estate.

9. Mary, married to Robert Jones of Fonmon Castle, M.P. for co. Glamorgan, by whom she had five children, viz. Robert; Oliver, who died 28th Aug. 1736, in his 29th year; Mary, who alone survived her parents; Elizabeth, and Ann. Mrs. Jones deceased in Dec. 1756, when in her 73rd year, and was buried at Headley.<sup>5</sup>

ARMS OF EDWIN, Lords of the Manor of Wistaston, as depicted on monuments in Holmer church:—A chevron between three (roses, or) quatrefoils.

ARMS OF SIR HUMPHREY EDWIN, being those ascribed to Edwyn Prince of Englefield, Lord of Tegaingle in Flintshire, founder of the 12th noble Tribe of North Wales:—Argent, a saltire sable between four Cornish choughs proper.

CREST:—A chough, as in the Arms.

<sup>1</sup> Collins' *Baronetage*, iii. 662.

<sup>2</sup> Manning and Bray's *Surrey*, ii. 641, 642.

<sup>3</sup> Nichols' *Topographer and Genealogist*, ii. 294.

<sup>4</sup> Information of Mr. E. J. Sage of Stoke Newington, a descendant of this union.

<sup>5</sup> Manning and Bray's *Surrey*, ii. 642.

## DOUBTFUL BARONETCIES.

## PEYTON OF ISLEHAM.

There is an English Baronetcy of this name still appearing in our present Baronetages: but the possessor is a representative of the family only by female inheritance, being by male descent a Dashwood.

The Peytons were of high antiquity: and are said to have been an offset from the house of Malet, a baronial family in Yorkshire. They were seated at Boxford in Suffolk in the reign of Henry III. if not before; and in that reign a younger son, named Robert, assumed the name of Ufford,<sup>1</sup> (his lordship in the same county,) and was grandfather of Robert de Ufford, created Earl of Suffolk in 1336, who as well as William his successor was a Knight of the Garter, whilst John his brother was Lord Chancellor, and Archbishop elect of Canterbury,—dying of the plague in 1348, before his consecration.

The Peyton family was one of the first associated with the dignity of Baronet, and that dignity was repeatedly conferred upon it, for the male line in its several branches received no fewer than four patents of as many distinct creations.

The first was one of the original seal of the 22nd May, 1611. Sir John Peyton, of Isleham, in the county of Cambridge, stands eleventh on the list of those eighteen first raised to this dignity.<sup>2</sup> And this baronetcy lasted longer than the others which we have to name: for there were eight Baronets in succession, down to Sir Yelverton

<sup>1</sup> The Baronetages (Collins 1720, Wotton 1741, Kimber 1771) say, “assumed the surname of his ancestors;” having previously misquoted “Mr. Camden” as stating that the Peytons were derived from the Uffords. The reverse was the fact. Mr. B. Blundell, in his pamphlet hereafter mentioned, is in like manner incorrect in stating that the first Baronet of Isleham was *descended* from the Earl of Suffolk; and further, in identifying that Earl (not created until 1336) with his grandfather the “Justiciary of Ireland in the reign of Henry III.” There are other important errors in the Baronetages (*art. Peyton*) regarding the Uffords: 1. that the first Earl of Suffolk was son (instead of grandson) of Robert, lord justice of Ireland; 2. that Thomas de Ufford, Knight of the Garter, was brother to the first Earl. Mr. Beltz, *Memorials of the Order of the Garter*, p. 127, has shown him to have been the first Earl’s younger son. We may add that his name is altogether omitted in the account of the family in Burke’s *Dormant and Extinct Peerages*, 1866; although a brief memoir of him had been given by Mr. Beltz. Peyton and Ufford both alike bore for arms, *Or, a cross engrailed sable*.

<sup>2</sup> See vol. iii. of this work, p. 208.

Peyton, who died on the 18th Oct. 1815, "when the Baronetcy is *presumed* to have expired.<sup>1</sup>"

Descended from the same great-grandfather as Sir John (that is, from Sir Robert Peyton, of Isleham, ob. 9 Hen. VIII.) was Sir Samuel Peyton, of Knowlton in Kent: who also was created a Baronet in the first year of the dignity, viz. on the 29th June, 1611. There were only two Baronets of this branch: Sir Thomas Peyton, the son, dying without surviving male issue in 1683.

The third patent was conferred in 1660 on Sir John Peyton of Doddington, co. Cambridge, whose great-grandfather Sir John, Lieutenant of the Tower of London temp. Eliz., was a younger son of the Knowlton family, and uncle of the Sir Samuel just mentioned. He died unmarried in the very month of his creation.<sup>2</sup>

His heir was his brother Algernon, who was also created a Baronet, but not immediately after his succession to the estate. His patent was dated on the 21st March, 1666-7. It became extinct in 1771 on the death of his grandson Sir Thomas, the third Baronet of this creation.

The Peytons of Doddington had formed several matrimonial alliances with the Dashwoods; and Sir Thomas Peyton left his estate to his nephew, Henry Dashwood, esq. with an injunction to take the name and arms of Peyton. To that gentleman the fifth patent of Baronetcy conferred on a Peyton was granted in the year 1776; and he was the great-grandfather of Sir Algernon William Peyton, the fourth and present Baronet of the last creation.

We return to the original Baronetcy, that of Peyton of Isleham, which has heretofore been considered to be extinct from the year 1815.

In his *Peerage and Baronetage* for the year 1869 (p. 888), Sir Bernard Burke has admitted "a doubt as to the extinction of the first Baronetcy of the ancient male line of Peyton . . . . Sir Edward the 2nd Baronet had, with other issue, Thomas, whose second son, Robert Peyton, settled in Virginia, in America, and his descendant and representative, Colonel John Lewis Peyton, now claims the Baronetcy of Isleham."

In the new edition of *Vicissitudes of Families*, also bearing date

<sup>1</sup> Burke's *Extinct and Dormant Baronetages*, 1841, p. 411.

<sup>2</sup> He died on Christmas day, 1660, according to Burke's *Extinct Baronetage*. Courthope had stated that he "died unmarried, circa 1693;" but the succession of his brother Sir Algernon to Doddington, and his promotion to the vacant Baronetcy there, show that the Burkes had attained better information.

1869, a more decided opinion to the like effect has been expressed by the same authority in the following passage :—

Not long since I read a very remarkable and very interesting book, *The Adventures of my Grandfather*, by an American gentleman, John Lewis Peyton, as well as an essay on Mr. Peyton's works, by Mr. B. Blundell.<sup>1</sup> I learned from the perusal that the Baronet, Peyton of Isleham, still exists on the other side of the ocean.<sup>2</sup>

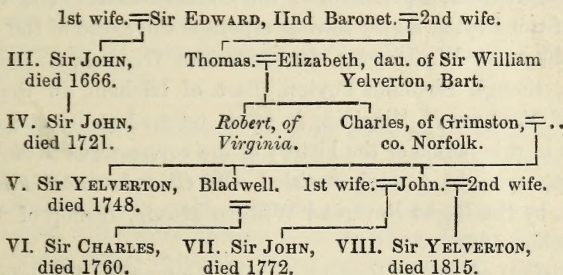
It seems that for nearly thirty years Sir Bernard Burke has been disposed to admit the same claim : for, in his *History of Extinct and Dormant Baronetcies* (1841) we find this note attached to the name of Sir John Peyton the seventh Baronet :—

If Robert Peyton, of Virginia, left male descendants, as it is reported, this gentleman (Sir John) succeeded wrongfully; Robert being the elder brother of his grandfather Charles Peyton of Grimston, and the second son of Thomas Peyton, only son of the second Baronet by his second wife.

And it had been previously thus recognised by Mr. Courthope (the late Somerset Herald) in his *Synopsis of the Extinct Baronetage* (1835).

This Sir John was not heir to the baronetcy, if (as has been reported) an elder brother of Sir John's father [*for which read grandfather*] left issue male settled in Virginia, North America.

The succession to the title was anything but directly lineal. It took place as here shown :—



<sup>1</sup> The titles of these publications are :—

*The Adventures of my Grandfather.* By Colonel JOHN LEWIS PEYTON, late Chief of Staff to General Douglas B. Layne, of Virginia. London, 1867. 8vo. (John Wilson, Great Russell Street.)

*The Contributions of John Lewis Peyton to the History of Virginia and of the Civil War in America, 1861-65.* Reviewed by B. BLUNDELL. London, 1868. 8vo. (Same publisher.)

Colonel Peyton's earlier work, reviewed by Mr. Blundell, is, *The American Crisis; or, Pages from the Note-book of a State Agent during the Civil War.* London, 1867. 2 vols. 8vo. (Saunders and Ottley.)

<sup>2</sup> He is now an exile in this country, or in Guernsey.

"If Robert Peyton of Virginia (as the proposition was put by these authors of the Extinct Baronetages,) left male descendants," the title, it will be observed, might have been claimed by them, not only on the accession of Sir John the seventh Baronet in 1760, but previously in 1721, and in 1748, in each of which years a Baronet died leaving no son.

We have lately received from the present claimant a communication in which it is affirmed that such claim was actually asserted, in America, previously to the Revolution; and if so, of course, concurrently with the title being really enjoyed by the cousin remaining in England; but that it was relinquished when the Revolution took place. The story is somewhat strange, and we are not favoured with any documentary proofs; but at any event the statement presented to us will be read with interest. It is as follows:—

The Baronetcy of PEYTON OF ISLEHAM, which was conferred at the creation of the order in 1611 upon Sir John Peyton of Isleham, is now the rightful inheritance of the Peytons of Virginia, who held and bore the title down to the year 1776, when the American colonies revolted, and, after a seven years' war with the mother country, established their independence in 1783, when Great Britain and France acknowledged the independence of the United States. The Virginian branch of the Peyton family having espoused the cause of the colonies, and fought under Washington for American freedom, no longer bear the title, though Sir John Peyton, Bart. of Isleham, in the present county of Mathews in Virginia, is often referred to in works having reference to this period of the history of the commonwealth of Virginia, as, for example, in a work entitled *Old Churches and Families of Virginia*, by the Right Reverend William Meade, Bishop of Virginia, Philadelphia, 1857.

The history of the settlement of the Peytons in Virginia is thus epitomised by Mr. Bezer Blundell:—

The Peytons, an ancient English family, had, so far back as the reign of Elizabeth, been connected with and considerable landholders in Virginia; Sir Henry Peyton having been one of the leading members of the London Company organized by Raleigh for its colonization, and several of his junior relatives taken what was then called "the Virginia Voyage," with Sir Walter. It was, however, a few generations later that the branch of his family which our author (John Lewis Peyton) more immediately represents effected its severance from the parent stem in England.

Sir Edward Peyton, the second Baronet, who was a Puritan dwelling at Isleham, in Cambridgeshire, had rendered himself obnoxious to the earlier Stuarts, by the com-

position of a very truthful and equally caustic volume,<sup>1</sup> entitled *The Secret History of the Reign of James I.*, the details of which throw not a little light upon the real causes which rendered "the Scottish Solomon" detested by many of his subjects, and—with very rare exceptions—despised by them all. Sir Walter Scott has edited a reprint of this curious little volume, which, fortunately perhaps for its author, was not published until 1652, when the Star Chamber and High Commission Court were no longer uncontrolled and rampant. During the Civil Wars of the succeeding reign Sir Edward adhered to the Parliamentarians, yet, rather seeking the restriction than the abolition of English monarchy, contrived under the Protectorate to diminish his estate considerably by incurring mulcts and forfeitures from Cromwell, who looked with suspicion on him as a concealed Malignant. Thus, persecuted by both factions, as is the ordinary lot of upright and independent men, whose hard lot has cast them upon an era of political disturbance, Sir Edward died in 1657, much impoverished, and his immediate successors in the baronetcy,—two sons, of whom the elder was a captain and the younger a gentleman volunteer in the Royal Life Guards of King Charles II.—so wasted the relics of the Isleham property by the excesses of their exuberant loyalty—they were both Cavaliers—that in a few years very little more than its mere designation was left to them at Isleham Hall.<sup>2</sup> Under these circumstances Robert Peyton, a grandson of Sir Edward, and, like Ned Poins, "a younger brother and a proper fellow of his hands," disdaining the life of a mere idle hanger-on to elder relatives scantily able to support themselves, resolved to try what his long pedigree, backed by a bold heart and a clear intellect, could do in America towards renovating his fortunes, and shortly after the Restoration emigrated to Virginia, where his Transatlantic cousins<sup>3</sup> receiving him with open arms, the young adventurer—inspired by that affectionate recollection of his native land which is one of the most prominent and praiseworthy traits in the character of our American cousins,—gave his new domain, in the Mathews county, the appellation borne by the ancestral residence in his island home.

<sup>1</sup> The title given by Mr. Blundell is that of Sir Walter Scott's historical collection, (2 vols. 1811,) which comprises also Sir Anthony Weldon's libellous work, "The Court and Character of King James," and William Sanderson's reply thereto, entitled *Aulicus Coquinariae*, together with the book written by Sir Edward Peyton, which is entitled, "The divine Catastrophe of the Kingly Family of the House of Stuarts; or a short History of the Rise, Reign, and Ruine thereof. London, 1652." 12mo.

This opportunity may be taken to correct an error (originating with Collins) in the various Baronetages that Sir Edward Peyton had been knighted by King James as early as 1610. The knight made at that time (at Whitehall, Feb. 4, 1610-11) was Sir Edward Peyto, of Chesterton, in Warwickshire: see Nichols's *Progresses, &c.* of King James I. ii. 407. (EDIT. H. & G.)

<sup>2</sup> We fear that in all this Mr. Blundell is more picturesque than exact. Lysons, in his *Cambridgeshire*, (*Magna Britannia*,) says that he had not been able to ascertain when the Peyton family alienated Isleham; but it was probably before the Restoration, for Collins (*Baronetage* 1720, i. 68) after mentioning the sale, states that Sir Edward the second Baronet died at Wicken, co. Cambridge, at the beginning of the year 1657. (EDIT. H. & G.)

<sup>3</sup> Who were these "Transatlantic cousins"? (EDIT. H. & G.)

Robert Peyton, after his emigration to the colony *circa* 1660-65, married in Virginia, and dying left issue—

1. John, his heir and successor.
2. Robert, married, and left one son John, who succeeded his uncle.
3. Benjamin John Edward. 4. William. And three daughters.

Robert Peyton was remarkable for talent and energy, and laid broad and deep the foundation of his fortunes in America, his offspring, after the lapse of two centuries, enjoying so much benefit therefrom and such prosperity, that it has been said of them that they recall and verify the words of the Psalmist, "I have been young and now am old, yet never saw I the virtuous man forsaken, nor his seed begging their bread."

At the death of Robert Peyton in 1685—or rather we should say of Sir Robert Peyton—for it will appear from the sequel that the title devolved upon him by reason of the failure of the male line of his grandfather, Sir Edward Peyton of Isleham, co. of Cambridge, by and through his first wife, he was succeeded by his eldest son, Sir John Peyton of Isleham.

Sir JOHN PEYTON, Baronet, dying without male issue of his body lawfully begotten, the title devolved upon his nephew, the son of his brother Robert, who became

Sir JOHN PEYTON, Baronet, of Isleham, and in this line the title and estate remained till the year 1776. After 1776, and the Declaration of American Independence, the title was dropped by the Peytons, in accordance with the constitution of the confederacy, as by many other ancient noble families residing in Virginia, such as the Fairfax's, the Skipwiths, and the Berkeleys. The estate of Isleham, however, remained in this line till about the year 1830; when, the male line failing, it was sold for distribution among the female descendants of the late Baronet (by hereditary right) who died in that year. Isleham is now (1869) owned and occupied by Mr. Warner Taliaferro, junior.

Upon the occurrence of this event in 1830, the male descendants of Robert Peyton, through his third son Benjamin John Edward, became senior male representatives of the Peyton family in Virginia, and of Sir Edward Peyton of Isleham, in England, who died 1657.

BENJAMIN JOHN EDWARD PEYTON was born in Virginia about 1680, but shortly thereafter was sent to England for education, where, having graduated at Cambridge, he joined the English force in Holland under Marlborough, assisted at the capture of Liege in 1702, and engaged in the battle won by the British fleet in the West Indies over the French in 1703. Whilst at Cambridge he made the acquaintance

of the Czar Peter the Great then (1698) in England to acquire the art of shipbuilding, of whose eccentricities and gross habits he related many characteristic anecdotes on his return home, to the scandal of his Virginian relations, who did not believe the Muscovite Autocrat to be anything but a polished and accomplished gentleman. See *Adventures of my Grandfather*, pp. 177, 178.

He married Miss Page of Virginia, and left issue his heir and successor, one son,

Colonel HENRY PEYTON of Stoney Hill, Stafford county, Virginia, who married Miss Langley in England, where he had been sent, like his father, for education. After this event he returned to Stafford county, Virginia, and dying left issue an only son,

JOHN PEYTON, esquire, of Stoney Hill, the same who was afterwards connected with the expedition led by General Braddock against Fort du Quesne (held by the French and Indians) in 1755, and the writer of some letters published in the Appendix to the Life of his son. John Peyton died at Stoney Hill in 1776, and was thus spoken of by the Bishop of Virginia.

It would require no common pencil to depict the undeviating rectitude of his conduct, the unshaken constancy of his friendship, the unwearied activity of his benevolence, the invariable warmth of his affections, the untarnished purity of his habits, and the unabated fervour of his piety. He was for many years a magistrate for the county of Stafford, and sat regularly at the quarter sessions, with great advantage to the public, and with perfect satisfaction to the bar. The acuteness of his intellect, the power of his memory, his devotion to the business of the court, and his anxious desire to do complete justice, were long spoken of in Stafford county with admiration and gratitude. To his family, and all those who shared his private friendship, it was well known that all these qualities were associated with kind feelings and an affectionate heart."

John Peyton, esquire, married Elizabeth Rouzée, of the county of Essex, Virginia, and left issue,

1. JOHN ROWZÉE PEYTON, esq. a distinguished scholar, gentleman, and soldier, who died at the early age of forty-five, in 1798, from the effects of a wound received at the battle of Point Pleasants, Virginia, in 1774. His life and adventures in the wilds of New Mexico and on the Indian frontier of Virginia, during the bloody days of the border wars, have been published, and are singularly interesting.

2. *Valentine Peyton, M.D.* who travelled several times around the world, and who was remarkable for the extent of his knowledge, his graceful manners, and elegant acquirements.

John Rowzée Peyton married Annie Howe, a daughter of G. Howson Howe, esq. of the Occoquan River, in the Northern Neck of Virginia, and left issue at his death

1. JOHN HOWE PEYTON, esq. who became an eminent statesman and lawyer, serving in the House of Delegates of Virginia in 1808, 1809, and 1810, and in the Senate from 1838 to 1845, when he resigned from ill-health. During the war of 1812-15 he served with credit as major of brigade; and in 1840 was one of the board of visitors to the United States Military Academy, West Point, writing the report of the board for that year.

From 1809 to 1840 he filled the lucrative and responsible position of attorney for the commonwealth of Virginia, and acquired a widespread celebrity for his forensic knowledge and abilities.

2. General *Bernard Peyton*, who served as a captain in the United States' army on the Canadian frontier with General Winfield Scott in the war of 1812-15, and was afterwards appointed Adjutant-General of Virginia, and President of the Board of the Virginia Military Institute.

3. *Garnett*, a Captain in the United States' army.

4. *Rowzée*, who removed to New York.

5. Lucy, who married General Green of Kentucky.

6. Ann, who married Robert Green, esq. of Maysville, Kentucky.

John Howe Peyton married first Susan, a daughter of Strother Madison, esq. of Virginia, and niece of the Right Reverend Bishop Madison of Virginia, by whom he left an only child, Colonel WILLIAM MADISON PEYTON, a man of rare talents and acquirements, who served with distinction as a member of the House of Delegates of Virginia for the counties of Roanoke and Botetourt, 1838 to 1840, and for many years as President of the Board for the James River and Kenewha Canal Company, during which period he was States proxy, and wrote the annual reports of the board. His published speeches upon internal improvements and other subjects are remarkable for ability and eloquence. When war was apprehended between England and the United States, upon the subject of the north-western boundary between the then territory of Oregon and British Columbia, the Governor of Virginia, His Excellency Alexander Campbell, appointed him aide-de-camp, with the rank of colonel, being particularly desirous, if hostilities should occur, as he said, to avail himself of his (Colonel Peyton's) "fine judgment and splendid courage." Colonel Peyton died in February 1868, after having lost, before they arrived at matu-

rity, three sons, and during the civil war three daughters and two sons-in-law.

John Howe Peyton married secondly Ann, daughter of the distinguished revolutionary officer Major John Lewis, of the Sweet Springs, Virginia, who served with Washington during the Revolution, and to whom the United States Government made large grants of land in consideration of his military services; and many years after Major Lewis's death, namely, in 1830, the Government, in further recognition of his services, granted to his heirs a tract of 13,000 acres of land. By this marriage John Howe Peyton left two sons (with eight daughters),

1. John Lewis Peyton.
2. Yelverton Howe.

JOHN LEWIS PEYTON, born 15th of September 1824, married Eliza Clark, daughter and co-heiress of Colonel John C. Washington, of Vernon, Lenoir county, North Carolina. Colonel Washington is son of John Washington, esq. and grandson of Lawrence Washington, uncle to the illustrious Washington, first President of the United States. Colonel Peyton is the author of several interesting and valuable works, namely: *The American Crisis; or Pages from the Note Book of a State Agent during the Civil War in America.* 8vo. London, 1867. *The Adventures of my Grandfather.* 8vo. London, 1867. *A Statistical View of the State of Illinois.* Chicago, 1854. *Pacific Railway Communication and the Trade of China and the Indian Islands.* Chicago, 1854. He has filled many high and responsible offices, civil and military, at home and abroad, and rendered good service to his country. During the civil war of 1860-65 he was sent by the government of North Carolina upon a secret mission to England, where he arrived in November 1861, having broken the blockade at Charleston, South Carolina, on the 26th of October 1861, in the Confederate States' war steamship "Nashville," Robert W. Pegram, esq. captain. He is at present a resident of Guernsey.

Having thus traced the family of Peyton down to the present day from Robert, the first who emigrated to America, we have now but to remark that the fact that Robert Peyton left numerous descendants according to our account herein contained is notorious in Virginia and patent to all the world, from the records in the clerk's offices of the counties of Mathews, Gloucester, and Stafford, in Virginia, and by reference to Bishop Meade's work, where they are mentioned as bearing the title, as we have before said, till the year 1776.

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After the repeated appeals made in this paper to the authority of Bishop Meade, we must own our disappointment in not finding such confirmation as we expected in the Bishop's work, entitled *Old Churches, Ministers, and Families of Virginia*. In two volumes 8vo. Philadelphia, 1857. The book is multifarious in its contents, and wants an index; but, guided by its ample table of contents, we have searched diligently, but to little purpose;<sup>1</sup> for it is only in p. 326 of the first volume that we can discover any intimation of the use of the title in an incidental mention of "*Sir John Peyton*."

On the other hand we discover, as one of Bishop Meade's Appendices (vol. ii. p. 466), the following article, commencing it will be observed with the statement that John Peyton, of Stoney Hill, died in 1760, not 1776. Though evidently imperfect, and possibly in some respects erroneous, we think proper on this occasion to quote it entire:—

#### THE PEYTON FAMILY.

[The following limited account of this family has been sent me by a friend. In the civil and ecclesiastical lists the name may be found at an early day.]

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<sup>1</sup> The Bishop says that he received from Mr. Carraway the minister of Kingston parish, Mathews county, a list of vestrymen, including the names of *John Peyton* and *Thomas Peyton*. Mr. Carraway alludes to them as the "Dudleys, Armisteads, Carys, Tabbs, Gwynns, Billops, Throckmortons, and *Sir John Peyton*,"—the latter (adds the Bishop) being the patriot of the Revolution, as well as the Churchman. (Vol. i. p. 326.) Among the members of the Convention of Virginia assembled in 1776, appeared for Loudoun, *Francis Peyton* and Josias Clapham esquires (p. 153). In the Bishop's second volume we trace the names (merely) of several other Peytons. In St. Mark's parish, Culpeper county, *William Peyton* clerk of the vestry, who died in 1771. (pp. 74, 78). *Mrs. Peyton of Gordonsdale*, daughter of the Rev. John Scott and sister to Judge Scott, of Fauquier. (p. 208.) In Dettingen parish, King William county, "at Broad Run we find the names of John Bryant, *William Peyton*, &c. At Quantico Church, Mr. Thomas Machem or Mitchem, *John Peyton*, Jeremiah Moore, lay readers. The Lees, *Peytons*, Blackburns, and Ewells appear to have been most numerous and prominent in the vestries." (p. 215.) In Leeds parish, Fauquier county, "The *Peytons*, Turners, Beverleys, Hendersons, and others, descendants of Episcopal families, still adhere to the old Church, and are active in seeking its resuscitation." (p. 220.) At St. Paul's church, Alexandria, *Thomas West Peyton*, a vestryman 1810. (p. 271.) In Shelburne parish, London county, *Francis Peyton*, a vestryman. (p. 276.) In Frederick parish, Frederick county, *John Peyton*, a vestryman 1787. (p. 289.) At Staunton, in Augusta county, Mr. King began his ministry in 1811, having letters of commendation from Judge Archibald Stuart and the *Hon. John H. Peyton* to Bishop Madison (p. 322), and *John H. Peyton* was one of the vestrymen elected Jan. 1, 1820. (p. 323.) These notices, though so thoroughly fragmentary, seem to show that there were several families of Peyton scattered in Virginia.

JOHN PEYTON, Esq. of Stafford county, Virginia, who died in 1760 (*sic*), was twice married. By his first wife his children were Yelverton, Henry, and Ann Waye. By the second wife they were John Rowzee, and Valentine.

1. Yelverton had four sons and four daughters. One of the daughters—Elizabeth, married her cousin, John Peyton Harrison; and Catherine married Captain William Bronaugh, of Stafford, who moved to Kanawha and is the father of a numerous family, the most of whom now live in Missouri.

Of the sons of Yelverton, Henry was a pious Methodist preacher, and married a Miss Brent, of Fauquier; and another of his sons—Colonel Samuel Peyton, was the father of Yelverton, William, and Henry, all of whom were talented and pious ministers of the Methodist Church, and died young, leaving each one child.

2. Henry, the second son of John Peyton, married a Miss Fowke, and resided near the Plains, in Fauquier county. He was a pious member of the Episcopal Church. One of his sons,—Dr. Chandler Peyton, married Eliza B. Scott, the eldest daughter of the Rev. John Scott; and another son,—Yelverton, married Margaret, the youngest daughter of the Rev. Mr. Scott. She, after his death, married Mr. Charles Lee, and then Mr. Glassell.

3. Ann Waye, the daughter of John Peyton, married Mr. Thomas Harrison, of Stafford. She had a son, John Peyton Harrison, who married his cousin, Elizabeth Peyton, and has left many descendants; and another son,—Thomas, who was an Episcopal minister and the father of Philip Harrison, esq. late of Richmond.

4. John Rowzee, the third son of John Peyton, was the father of John Howard [*an error for Howe*] Peyton, of Staunton; of General Bernard Peyton, of Richmond; and of Mr. Rowzee Peyton, who has moved to the State of New York.

5. Doctor Valentine Peyton, the fourth son of John Peyton, resided at the family seat, Tusculum, in Stafford, and was the father of Mrs. John Conway, of Stafford Court-House, and Mrs. Chichester, who resides near the Falls Church, in Fairfax county; and of many others.

Now, it is evident at a glance, even in this imperfect portion of the Peyton pedigree, that there is a vast deal of work for a genealogist to get through, before he can prove Colonel John Lewis Peyton to be the eldest surviving heir male of the body of the second Baronet of Isleham. Even supposing that the younger branches of the family left in England were really allowed to usurp the title for ninety-six years to the prejudice of the posterity of Robert settled in Virginia, and that our old Baronetages were uniformly incorrect in stating that "Robert, of Virginia, left no male issue;"<sup>1</sup> there are various marriages to be shewn, for which not even names are hitherto given, whereas the College of Arms would require dates and documentary proofs; and there are numerous cadets whose decease *sine prole masculâ* must be demonstrated, before Mr. John Lewis Peyton can be admitted to be the head of the Virginian family. If the three brothers "Mi-

<sup>1</sup> Baronetage, by Wotton, 1741, i. 32; by Kimber and Johnson, 1771, i. 23.

nisters of the Methodist Church" each left one child, are their lines extinct? and the like question has to be answered at several other points.

As the main root of all, the marriage of Robert Peyton the settler should be proved, to give his posterity the least pretension to an hereditary dignity.

And yet Colonel Peyton's claim may be well founded: the marriages of all his ancestors may be proveable, and so may the extinction of all the male heirs that might stand in his way. It is one thing, however, to excite the curiosity and interest of the author of *Vicissitudes of Families*, even if that author be also Ulster king of arms, and another to satisfy the proper requirements of the English College of Arms, which can only be done by fuller and more complete evidence than Colonel Peyton has now presented to us. We do not presume to give any decisive opinion upon such insufficient evidence: but we may notice as a circumstance *prima facie* in his favour that the alliances of the Virginian family (so far as they are recorded) appear to attest to its importance and good standing.

And again that the continued maintenance of Yelverton as a baptismal name both in the American and English families,—derived from the mother of the Virginian Robert, who was Elizabeth daughter of Sir William Yelverton, of Rougham, Bart.—seems to bear testimony to their consanguinity.

## DOUBTFUL PEDIGREES.

### ALLEGED BRANCHES OF SMYTH OF BRACO, PERTHSHIRE.

The name of Smith, spell it no matter how, is so very common, and the existing families of the name so numerous, that it is hardly to be wondered at that some of them have been erroneously deduced from one of the few old families of the name, of which accurate pedigrees have been preserved.

The family of Braco in Perthshire (now represented by the Smythes of Methven Castle), which dates from the year 1477, and of which a pedigree is given in the *Baronage* of Sir Robert Douglas, has had at least two branches grafted on to it since the publication of the baronet's folio. The term "grafted on" is employed because, as will be shown, it is scarcely possible that the facts could have taken place as stated. At the same time these critical remarks are written in no ill-

natured spirit, but simply with a view to secure greater accuracy in matters of pedigree; and it is perfectly possible that the branches in question may be veritable offshoots of the original bole, but in a different way.

The pedigree given by Sir Robert Douglas bears evident marks of truthfulness and careful compilation. There is an absence of vague statement and a regard to dates and authorities which show that the compiler knew what he was about. A comparison of many original sources has confirmed every fact stated, with the exception of one remarkable instance (doubtless a printer's error), which occurs twice, whereby *Aitkin*, Bishop of Galloway (1677-1687), is transformed into *Arthur*, Bishop of Galloway, and is thus confounded with Arthur Rose, who held that see for a month before he was promoted to the Archbishopric of Glasgow in 1677.

The facts of the particular part of the pedigree from which the alleged branches originate may be stated very briefly.

Alexander Smyth, fifth in descent of the family, who died in 1603, *v. patris*, left two sons—Patrick, who succeeded as sixth, and Andrew, of Rapness in Orkney. George Grahame of Gorthie and Inchbraco, minister of Scone, was tutor to these young men; and when, in 1615, he was promoted to the Bishopric of Orkney, his pupils seem to have accompanied him thither, and so to have commenced that connection with those remote islands which was afterwards widely extended by their descendants. The Orkney records of the latter half of the seventeenth century are full of the Smyths. The eldest, Patrick, married, 1st in 1618, Catherine Grahame, daughter of the bishop; and 2ndly, Margaret Stuart, stated to have been a descendant of the family of Ochiltry. He left, with other children whose names need not be mentioned here, (1), Patrick, who succeeded him about 1651; (2), Andrew, born about 1634, who acquired the lands of Rothisholm, and who married Margaret Stewart, daughter of Robert Stewart of Brúgh, and left a son Robert; (3), John Smyth of Húip or Hoop, near Kirkwall, born 1640, who married Margaret Grahame, and had a son Patrick; but whose heir of line, at the time Douglas's pedigree was written, was Jean Smyth, wife of Mr. William Mercer, merchant in Edinburgh; and (4), William Smyth, born 1646, minister of Moneydie in Perthshire, who married Mary Aitkin, daughter of James Aitkin, Bishop of Galloway, and left an only son James, whose arms are matriculated in the Lyon Register in 1760, as "son of Mr. William Smith, who was youngest brother of Patrick Smith of Methven."

The younger son, Andrew, of Rapness, married Rebecca Aitkin, and left two sons (he was dead before 1669), viz.:

1. Patrick, an advocate in Edinburgh, who married Lillias, another of Bishop Aitkin's daughters, and left three children, viz. Archibald, a writer in Edinburgh, living in 1723; Anne; and Lillias, born 1672, who was afterwards wife of George Cheyne, surgeon in Leith.
2. George of Rapness, who left two daughters co-heiresses.

Such are the facts; and now for Graft No. I.

Appended to a copy of the pedigree, as given by Douglas and re-published in Burke's *Dictionary of the Landed Gentry*, edition of 1850, is a note, saying—

Of the Orkney branch of this family was the Rev. William Smith, son of Smith of Húpa in Orkney, one of the first clergymen who settled in that country at the period of the Reformation, a pious and learned man. He married a daughter of Jas. Sinclair of Ratter, and had a son George, who was father of, &c. &c.;

And so on for four generations down to the year 1850.

Now, counting back six generations, at the usual rate of allowance to a generation, we find that, unless the various personages of this brief table reached a patriarchal age, the Rev. William Smith must have flourished in the middle of the seventeenth century, which does not quite fit the period of the Reformation by about 150 years. But, assuming that the Restoration or Revolution is what is meant, and turning to the pedigree we find that the first of the Braco family who was of Húip or Húpa was John Smyth above mentioned, who was born about 1640; and moreover that his male descendants were extinct probably as early as 1700; for, from documents in the Sheriff Clerk's Office at Kirkwall, it appears that about that date one Hugh Smyth, a son of a collateral branch, was charged to serve himself heir to John Smyth of Húip and Andrew Smyth of Rothisholm. The Rev. William alluded to could not be a brother of John of Húip, for he had at least two other brothers called William; one, born 1630, died young; the other was the minister of Moneydie.

The William Smith who is claimed as a cadet of the family was in all probability the Rev. William Smith, minister of Bower and Watten in Carmarthenshire in 1654, who was ejected at the Restoration (qy. *Reformation* above?), and who certainly left a son George, a burgess of Edinburgh. (*Register of Burgesses and Guild Brethren*. Edin<sup>r</sup> 1683.) There appears to be no evidence to show that he was of the Braco family.

Graft No. II. is announced in a later edition of the same work. (Burke's *Landed Gentry*, 4th edition.) In this edition the pedigree contains the same error respecting William Smyth of Moneydie, who is said to have married a daughter of Arthur, Bishop of Galloway ; but, in addition to his son James, he is said to have left another son William, "Parson of Cranstown."

For this latter statement there is no foundation whatever. Neither does the testament-dative of Bishop Aitkin, registered in the books of the Commissariot of Edinburgh, 6th March 1688, to which there is an "eik" or addition, given up "by Mr. James Smyth, chirurgion apothecary in Perth, grandchild and only executor-dative *ad omnia*, descended as nearest of kin to the said umquhile James Bishop of Galloway, his grandfather," make any mention of this son William ; nor does the testament-dative of his alleged father William, recorded in the books of the Commissariot of St. Andrew's, 5th August 1719.

Nay more, in addition to this negative evidence, a reference to Dr. Henry Scott's learned and accurate work the *Fasti Ecclesiæ Scoticæ* (vol. i. p. 276), under the head of Cranston parish, will show that the Rev. William Smith, who is no doubt the identical parson of Cranstown above, was the son of a Rev. Robert Smith. A cross reference, at p. 420, repeats the statement.

In this case the erroneous assertion may have arisen from the serious error respecting the two bishops, and the Rev. Robert Smith may have been a scion of the family ; but it is quite certain that the facts are not as stated in the *Landed Gentry*.

F.

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## THE ANTIQUITIES OF HERALDRY.

The Antiquities of Heraldry, collected from the Literature, Coins, Gems, Vases, and other Monuments of the Pre-Christian and Mediæval Times; with a Catalogue of Early Armorial Seals: tending to show that modern Heraldry embodies or is derived from the religious symbols, the military devices, and the emblems of the Heathen deities of antiquity. By WILLIAM SMITH ELLIS, Esq. of the Middle Temple, London : John Russell Smith, 36, Soho Square. MDCCCLXIX. 8vo. pp. xxiv. 276.

When noticing, in our last number, a recent elementary book upon "Heraldry" (as it is called), we took occasion to make some observations on the perverted, or rather contracted, sense in which the term Heraldry is now used in this country. The language of armorial symbols is now Heraldry; but, as we showed, it was always Armory

until the appearance of the popular work of Gwillim; and frequently so afterwards. And why has the change taken place? No doubt because the official Heralds (first incorporated by King Richard III.) were deemed the masters and proper professors of the art of Armory. But "coat-armure" was but an incident, as it were, of the business of the ancient Herald. Heralds and Pursuivants were originally official messengers, and ambassadors, *pro re nata*, whose persons were sacred even in warfare, and whose usual duties were to convey the commands of sovereigns and great captains, to communicate important tidings, to summon the peer to council, or the traitor to render his account, to proclaim war or peace, to direct ceremonials, marshal processions, and regulate precedence. Then came their (to us) more valuable and lasting labours of preserving genealogies, investigating records, and controlling the use of coat-armour. But the last they did not originate either in the earliest or in later times. It has never appertained to the Heralds, the second grade of the officers of arms, to grant new armorial bearings. This function has been under the special control and superintendence of the Kings of Arms.

In the secondary or figurative sense of a "herald," as now in use, we preserve a true memorial of the occupation of the early official heralds. Shakespeare, who introduces them very frequently into his dramas, in all their duties, whether martial or pacific, also employs the term frequently in the sense of a messenger, when he says in *Romeo and Juliet* (ii. 5), "Love's heralds should be thoughts," and in the sense of a proclaimer in the same play (iii. 5), "It was the lark, the herald of the morn;" and again, "Silence is the perfectest herald of joy." (*Much Ado about Nothing*, ii. 1.)

And so we are reminded that the herald was a news-bringer, as in the title of the *Morning Herald*, and many another newspaper.

In choosing the title of "THE HERALD" for our own miscellany, we included, together with heraldic "news," the consideration of all matters that appertained to the ancient herald; but we avowed that we particularly inclined to the art of armory, and the investigation of its early remains in an historical and archæological spirit. The book before us is professedly on that particular subject—the Antiquities of Heraldry—and it has every claim to our attentive consideration.

To those who have been constant readers of our *Herald* the name of Mr. Ellis must be sufficiently familiar, for he has supplied us with many valuable communications, and we have heretofore noticed several of his publications. His present work has actually grown out of what

was at first intended to have been offered to our pages as a reply to some observations of our own :

The author wrote an octavo pamphlet of 23 pages in 1853, which was published by the publisher of the present work, entitled *A Plea for the Antiquity of Heraldry*, to which was prefixed the following table of contents : Hereditary family arms prevalent in all ages and countries—The colours and devices painted on the bodies and shields of savages, distinctions of tribes and clans, originally the personal adoption of chieftains, transmitted from father to son, and to succeeding tribes, the origin, for the most part, of all subsequent national and family arms—The “parti-coloured shields” of the ancient Germans, mentioned by Tacitus, of this character, and all such and similar modern armorial bearings, an unbroken inheritance from the Teutonic chiefs—Modern European blazonry, being these alone, or in composition with other devices of subsequent adoption, or of ancient inheritance from the nations of antiquity, the whole varied infinitely by colour, form, number, and modes of display—National arms, in general, originally personal—Testimonies to the existence of family heraldry among the ancients, with instances ; its hereditary character—Many Welsh coats of arms probably of Roman-British origin—The scanty notices to be met in the remains of ancient and mediæval literature, as numerous relatively as those to be found in the literature of the present day—Prevalent erroneous notions of modern heraldry refuted—Arms borne at the Conquest proved by a *reductio ad absurdum*—as a rule hereditary—changed only on marrying a heiress, or a wife of superior rank—“Differences” not arbitrarily assumed, but taken from the maternal or uxorial coat—The family and national ensigns of subjugated nations, except in few cases, discontinued or prohibited, and now unknown—The horse prevalent in Anglo-Saxon blazonry, in Anglo-Norman arms very rare, an indirect proof of the existence of the former—Canting arms generally taken by *novi homines*—Family relationship alone, and not the feudal connection (which was a coincidence, not the cause) the source of new coats of arms.

This, it will be seen, is the germ of the present work. It was noticed by the Editor of the *Herald and Genealogist* in the number for March, 1865, in the introductory remarks of an intended series of articles on the “Origin and Development of Coat Armour,” by himself, and the prominent views embodied in it were considered unsound and untenable. This induced the author to take up his pen to justify his propositions, purporting to make that periodical the vehicle of his enlarged and amended “Plea ;” but he found his new facts and arguments assume such proportions, that he abandoned that intention, and resolved to place before the public in an independent volume this very considerable expansion of his earlier opinions, that a judgment might be arrived at upon the issues raised between the author and writers of opposite views.

Mr. Ellis allows that “the antient spirit of the last quarter of a century has justly rejected the unwarranted theories that had been handed down ; and, dissatisfied with opinions founded on insufficient evidence, or none at all, it has passed (as he complains) from one extreme to the other.”

Formerly we had conjectures without facts ; now we have facts without conjectures. A comparison of facts, arguments from the seen to the unseen, from the known to the

unknown,—are eschewed and forbidden. Speculations are regarded as delusive; inferences are uncertain; probabilities and analogies are not conclusive, and afford no demonstration. Such is the creed of the recent writers on Heraldry. They want facts and facts only.

In this spirit, it is complacently believed that the true origin of Mediæval Heraldry has been explored and its foundations traced; that notwithstanding it is admitted that devices on shields and banners are co-extensive with war, that during the long and dreary period of the Dark Ages, when nothing prevailed but ignorance and fighting, the customs of antiquity were disused, but that the Tournaments of the 10th and 11th centuries were the exclusive occasions of their use for an especial and temporary purpose; that otherwise they were abandoned and laid aside, but that in the middle of the 12th century for some unexplained reason the fashion was again instituted by a few, like the incipient use of wigs and hair powder, and gradually increased till in the 13th century every baron and knight throughout Europe bore a device on his shield, his banner, and his seal.

Mr. Ellis admits that all the influential inquirers during the last twenty years, naming Montagu, Lower, Seton, and Boutell—"all profess the same opinions substantially on the question of the era of the origin of Modern or Mediæval Heraldry, viz. that it must be sought for no earlier than the middle of the 12th century, and that it had no antecedent existence, and was not in any way derived from the devices used by the Ancient Greeks and Romans, or other nations of antiquity." More particularly, he adds, Mr. Planché in his *Heraldry founded on Facts*, and Mr. Nichols, Editor of the *Herald and Genealogist*, "have uttered the most salient dicta on the subject," and to their opinions Mr. Ellis devotes his more detailed examination.

Whilst Philology, Archæology, and Science generally, have recently made rapid strides, "not so much by new discoveries, as by a bolder and more unprejudiced view of the relations and significance of known facts," Mr. Ellis contends that "Heraldry alone, or the History of Symbolism, has made no advance, and received no elucidation from an enlarged spirit of inquiry, from wider views, and a more extended generalization."

In this passage we have, from Mr. Ellis's own pen, an admission of his peculiar views,—“Heraldry, or the History of Symbolism.” He would seem to say that all Symbolism is Heraldry. We say that European Armory is a species of Symbolism, but original and distinct from any previous systems.

Mr. Ellis has collected in this volume, with great research and perseverance, large particulars of the Symbolism of all the nations of antiquity: and, to do justice to his industry, we must state at least the subjects of the chapters of his book:

1. Ancient and Asiatic Heraldry.
2. Heraldry of simple and mingled colours, in costume, banners, and shields.
3. Heraldry of the ancient Mexicans, and of the North American Indians.
4. Heraldry of the Ancient Greeks and Romans.
5. Heraldry of Mythology.
6. Heraldic origin of many Family and Local Names.
7. On the modes of transmission of Heraldic Symbols from Ancient to Modern Times.
8. Mediæval Heraldry.
9. Armorial Seals of the Twelfth and Thirteenth Centuries; with illustrative Pedigrees of Baronial Families.
10. Arguments against the presumed Origin of Heraldry in the Twelfth Century.

Appendix: On the Unity or Diversity of the Origin of Heraldic Devices, and of Ornamentation.

In his preface, Mr. Ellis claims Chapter V. as an entirely new feature in Heraldic works; of the other chapters, generally, he speaks with modesty, as necessarily less perfect than further research might render them; but "to chapters 8, 9, 10, which are the result of inquiries and collections made over many years, he thinks that, from the present state of our accessible materials, not many important additions could be made." We are glad that he has paid the most attention after all to what we regard as the real Heraldry, or Armory, to the antiquities and history of which we are devoted: and we shall consequently be able to estimate more thoroughly the value of the evidence which, with such prolonged inquiry, he has been able to accumulate.

If there is any idea more than another connected with our Mediæval and Modern Armory, it is that of hereditary descent: and if we can satisfactorily trace any symptoms of inheritance in our existing armorial symbols higher than the eleventh century, Mr. Ellis may be assured that we shall gladly do so. We thankfully receive any facts or theories of this nature that he can suggest. Before every day-break there are some indications of the dawn; but still every day has its own beginning.

We admit, of necessity, that Symbolism has existed, in all ages of the world, in the devices of the Jewish tribes, in the coins of the Greek cities, in the standards of the Roman cohorts, and so on in the various phases developed in the earlier chapters of the present work. But we

still deny that such Symbolism was Armory; and maintain that the personal Armory of mediæval chivalry was a system different from the symbols of Nations, or Cities, or Families of Antiquity.

Mr. Ellis's theory is, that the symbols of tribes or clans have descended as coat-armour; and, to show how he developes this idea, we make the following extract from his sixth chapter:—

Most tribes took their names from their chiefs, and these from their ensigns.<sup>1</sup> Thus the Varahas, a powerful Indo-Scythic tribe, were denominated from *varah*: a boar, the device of their head. The names of some tribes, as the Catti, the Taurini, bear

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<sup>1</sup> In a note Mr. Ellis here quotes the statements of several writers who have noticed the association of savage tribes, distinctively, with particular animals. Thus Dr. Livingstone in his *Missionary Travels* traces the usages of South Central Africa to the animal worship of the old Egyptians. Sir George Grey has remarked upon the division of the Australians into clans, using the clan-name as a sort of surname, besides the individual name, and distinguished by some animal or vegetable, which served as their crest or kobong: adding that "the practice of reckoning clanship from the mother, and the prohibition of marriage within the clan, all bear a striking resemblance to similar usages found among the natives of North America. The Indian tribes are usually divided into clans, each distinguished by a *Totem* (Algonquin, *dodaim*, that is, town mark) which is commonly some animal, as a bear, wolf, deer, etc., and may be compared on the one hand to a crest [?] and on the other to a surname. The Totem appears to be held as proof of descent from a common ancestor; and therefore the prohibition from marriage of two persons of the same totem must act as a bar on the side the totem descends, which is generally, if not always, on the female side. Such a prohibition is often mentioned by writers on the North American Indians. Morgan's account of the Iroquois' rules is particularly remarkable. The father and child can never be of the same clan, descent going in all cases by the female line. Each nation had eight tribes, in two sets of four each:—

1. Wolf. Bear. Beaver. Turtle.
2. Deer. Snipe. Heron. Hawk.

A recent account from North West America describes the customs among the Indians of Nootka Sound. A whale therefore may not marry a whale, nor a frog a frog. A child again always takes the crest [?] of the mother, so that if the mother be a wolf, all her children will be wolves. As a rule also descent is traced from the mother, and not from the father." We must add that the [?] after "crest" is Mr. Ellis's: and he suggests that crest implies "arms": but we beg to observe that crests and arms are very different matters. A Crest is an obvious and ordinary ornament to a helmet in all ages, and known in the days of Homer; but Arms, as we now understand them, have a meaning, which is only occasionally the case, and that in modern times, with Crests. When Crests were first in fashion in mediæval England, and that was in the fourteenth century, long after the use of Arms, they were not generally distinctive, but many knights bore a mere *panache*, or plume of feathers, and many others the head of a Saracen or wild man. This was the case with the early Knights of the Garter, as may be seen by turning over the valuable *Memorials* of that order by Mr. Beltz. (EDIT. H. & G.)

on the face of them the names of the animals after which they are called. The clan Chattan (probably an offshoot of the Catti) who gave their name to the county of Caithness, bore as their chief cognizance the wild mountain cat, and called their chieftain, the Earl of Sutherland, *Mohr an Chat*, the Great Wild Cat.<sup>1</sup> The Saxon invader of Kent, Horsa, bore the well known ensign of the Horse, in correspondence with his name. Though we don't read of a tribe bearing his name, it is probable that he was a member or chief of a tribe who bore a name in some language or dialect that signified a horse. A host of names of persons and places contain the root of *Gallus*, a cock. This bird is the national emblem of Gaul, and also of Wales, which the French call *payes de Galles*. The cock is a badge of Wales, and Henry VIII. bore it as such, *argent, combed and wattled gules*, along with the Saxon red dragon.<sup>2</sup> In the language of Circassia, the name for that country is said to be the same as that for a cock, and this bird is their national device.<sup>3</sup> Arthgal the first Earl of Warwick is said to have been one of the Knights of the Round Table. *Arth* or *Narth* signifies a Bear. One of his descendants, it is said, slew a giant who encountered him with a tree torn up by the roots. Hence the cognizance of the Bear and Ragged Staff, which is as old at least as the fifteenth century, for in a MS. of that date the standard of Richard Earl of Warwick bore that device. The House of Orleans also bore this device, and likewise the Dukes of Burgundy.

The Dukes of Mecklenburg bear for their arms *a Bull's head*. This is thus accounted for by Court de Gebelin.<sup>4</sup> They are descended from the kings of the Ostrogoths, who derived their armorial bearings from the Polabes, over whom they reigned, which name is composed of *Bola* or *Whola*, which signifies a Bull or Ox, and of *Hlawa*, a Head.

The Saxons are said to have derived their name from *Seaxe*, a dagger or short sword, the ensign probably of their first chief. The arms said to have been borne by Sebert, one of the kings of the East Saxons in England, are three falchions. The Scythians, who are supposed to have been of the same race, worshipped their tutelary deity the God of War, under the symbol of an iron scimitar. A scimitar is annually worshipped by the chivalry of Mewar in Hindostan. A sword or dagger is a prevalent charge in Polish blazonry. Sicily is supposed to have been named after a root allied to *sica*, a sickle; but may it not have got its name from a branch of the Saxons? Menestrier, the French writer on Heraldry, says that the Chains of Navarre, the armorial ensigns of that kingdom, are explained by the fact that in the Basque language *una Varra* means an iron grating or chains. The arms of the kingdom of Castille are a Castle. All these are probably instances where inanimate objects selected as heraldic ensigns have furnished names, first to persons, and then to peoples over whom they reigned, or kingdoms they founded.

We have seen in Chapter IV. instances where the Ancient Romans bore device corresponding with their names. In mediæval times numerous such examples are to be met with. The Swedish family of Oxenstern was named from their heraldic bearing, a Bull's head. The Dauphin of France is said to have been so called from

<sup>1</sup> *Heraldry in History, Poetry, and Romance*, by Ellen J. Millington, p. 325.

<sup>2</sup> We do not know why Mr. Ellis terms the red dragon "Saxon." Would not our Welsh friends more decidedly claim it for their own?—(EDIT. H. and G.)

<sup>3</sup> Barrington's *Lectures on Heraldry*, p. 103.

<sup>4</sup> *Monde Primitif*, viii. 151.

the Counts of Auvergne, of whom Guillaume VIII. bore, according to the blazonry of the Crusaders A.D. 1147, *un dauphin pamé d'azur en champ d'or*. In the case of many ancient families who bear or bore arms allusive to their names, it is in most instances impossible to tell whether they took their names from their arms, or *vice versa*. Charles Martel is said to have been so named from the heavy blows he dealt in the fight; but it is just as likely that he bore a hammer-like axe as an heraldic device, and hence got or inherited his name.

The novelty of Mr. Ellis's views consists in his derivation of names from arms. That arms were derived from names, that they were originally, to a great extent, the pictorial representation or expression of the names of their wearers, has been generally known and admitted: but it is quite a new notion that "in the case of many ancient families it is impossible to tell whether they took their names from their arms, or *vice versa*." It is quite new to be told that, like the savage tribes of America or Australia (alluded to in Mr. Ellis's note), the names of European families were derived from their arms or their crests. Mr. Ellis asserts that "the Swedish family of Oxenstiern was named from their heraldic bearing, a Bull's head;" and so, he would have us believe, it was in most cases where the name and arms correspond in meaning or in sound. But what *proof* has he that such was the fact, in the case of Oxenstiern, or any other? Our own impression is that in every such case, when investigated, the names will be found to have been local in their origin, not personal; and that the armorial symbols are really phonetic echoes only, not exact translations, of the name or its component parts.

On the other hand, Mr. Ellis affirms (p. 113) that "The Saxon invader of Kent, Horsa, bore the well-known ensign of the Horse, in correspondence with his name;" but again, we have to ask for Mr. Ellis's authority for this direct assertion, which, we think, should rather have been modified by the phrase which he has such frequent occasion to employ—"it is said that Horsa," or "Horsa is supposed," &c.

Subsequently (at p. 152) he quotes from a paper of Dr. Donaldson in the *Cambridge Essays* (1856), this passage:—

"The names Hengist and Horsa are two synonyms; one signifies a horse in High German; the other is the Anglian or Low German name for the same animal. \* \* \* The White Horse was the ensign of the invaders. The Frisians call it their Hengist, and the Anglians their Horsa."

We thus get rid (remarks Mr. Ellis) of the mythical brothers, and a real Saxon chieftain named after the ensign of his race or family occupies his undoubted though often questioned place in history.

Surely, the advantage is somewhat equivocal in getting rid of two "mythical brothers" that have names, and gaining one "undoubted"

historical chieftain that has none! But we must not be surprised at Mr. Ellis's delight in an idea that coincides so closely with his argument. He adds that "the occurrence of the Horse on the coins of Ethelbert King of Kent is the best confirmation of the popular story of the ensign borne on the banner of Horsa." But how, we may ask, is the horse on the coin proved to be an armorial bearing, or even a symbol? It occurs also on a Northumbrian coin; and may it not have been merely a rude imitation of the coins of Rome or other more civilized countries,<sup>1</sup> whereon chariots as well as horses were represented?

We are perfectly aware that the horse is popularly adopted for the arms of the county of Kent, as may be seen every day on the hopsacks in Southwark, but we are at a loss for an ancient authority for it. The Earldoms of England had their ancient coats, which successive families assumed or quartered: but when did Counties begin to have arms, as counties? We imagine in comparatively modern times, and rather in the way of adopting and commemorating traditionary legends, than from anything like a course of regular descent.

The arms attributed to Edward the Confessor were suggested by one of his coins,<sup>3</sup> which exhibits a cross between four birds; but this is not armory, nor was it adapted to coat-armour until many centuries after; when imaginary coats of arms were invented for the Anglo-Saxon saints and monarchs, just as other imaginary coats were invented for the Nine Worthies,<sup>2</sup> and the Nine Female Worthies.<sup>4</sup> The arms of the Anglo-

<sup>1</sup> Mr. Ellis is not unaware that the Saxons, when they did not actually use Roman money, imitated it. He tells us himself (p. 157), "We have evidence that the types of the Roman coinage were used by the Britons and Saxons. On coins of Cunobelin we meet with the winged figure of Victory. The Pegasus and Centaur are found on British coins. On a coin of Ethelbert II., King of Kent (568-615), we find the wolf suckling Romulus and Remus." Such is the natural derivation of the designs of semi-barbarous coins, and plain and obvious enough when they are placed in juxtaposition with their prototypes.

<sup>2</sup> The coins of the Confessor exhibit a great variety of devices on their reverse sides, and this of the four birds is only one out of sixteen described by Mr. Hawkins in his *Silver Coins of England*. In this solitary case the birds are disposed in anything but heraldic order, as is shown in the annexed engraving. It is remarkable that the royal arms do not occur on the silver coins of England before the reign of Henry VIII. On some gold coins there is a figure of the sovereign holding a shield of his arms.



<sup>1</sup> See our first volume, p. 175.

<sup>4</sup> As at Amberley in Sussex: see the *Sussex Archaeological Transactions*, xvii. 205 *et seq.*

Saxon monarchies, as they may be found in Speed's chronicle and other old books, are mere inventions of a romancing complexion, pardonable enough perhaps when viewed as merely decorative ornaments, but yet we somewhat regret that they should have been recognised by the architect of the new palace of Westminster—so truthful as he has been in regard to the later periods of our history. If armorial bearings had really existed in England before the Norman Conquest, as Mr. Ellis contends that they did, we should assuredly have had some tangible or visible evidence of them: whereas we have none, nor scarcely any, for a century after that great event.

Mr. Ellis (p. 153) states that “the arms of the South Saxons *are said* to have been Gules, six martlets or; the use of which is at present confined to Sussex.” but a few lines lower he adds that the family of Arundel “bore in the 12th century the canting coat of six swallows.” Yes; and is not this proof that the coat was of Norman, not Saxon, origin? it canted on *hirondelle*, the Norman name of the swallow. Mr. Ellis does not here venture to suggest that the name was derived from the bearing. It is local of course, for the castle and town of Arundel (the *caput comitatus Sussexiensis*) stand on the banks of the Arun.

“The arms of the East Angles (as Mr. Ellis pursues his argument, p. 155) *are said* to have been three crowns, and they are to be found on fonts and on old stained glass in churches in Suffolk.” But he immediately himself supplies the answer to this. *Azure, three crowns or*, are undeniably the arms invented for Saint Edmund the King, whose local worship was supreme at Bury St. Edmund's and spread over all the contiguous country. The examples of its use might no doubt be gathered to a very great amount, and it mounts at least as high as the year 1300, when on the capture of the castle of Carlaverock King Edward I. directed to be raised on its turrets his royal banner, and that of St. Edmund, that of St. George, and that of St. Edward. But this, it must be remembered, was in the noon-tide of English armory, and many generations after the Saxon kings in question had ceased to live. One earlier instance of “the arms of the Confessor” is known to us, but that is only in the previous reign of Henry III. when the new building of the abbey church at Westminster was decorated with shields of arms.

Those monarchs who were canonised had symbols attributed to them, like the older saints, and the monasteries that were founded in their honour formed armorial shields for themselves from such symbols.

Thus it is that one armorial shield was called indifferently that of Edward the Confessor or of the Church of Westminster; another that of the abbey of Bury or of St. Edmund the King; another that of St. Athelstan or of Pilton priory;<sup>1</sup> another of St. Cuthbert, or of Durham; another of St. Oswyn, or Tynemouth.<sup>2</sup>

But the antiquity of Armory is not to be based upon such devices. We require contemporary evidence. Mr. Ellis is aware of this; and he offers it in two shapes. The first monumental, viz. in Seals. The second genealogical, by Pedigrees showing the relationship of families of the same or similar armorial bearings, whose common ancestors lived in the eleventh or even the tenth century.

Now, it is undeniable that he could not have better support than seals, if their dates be authenticated. We think, however, that on this part of the subject Mr. Ellis has been less critical than is desirable. He has readily taken much on report and at second-hand, where grave doubts are to be considered, and even where such doubts have been entertained by judicious writers, which he puts aside as not squaring with his views. To examine even a part of them at length will require a separate article.

We must also defer to another opportunity Mr. Ellis's genealogical tables, which are certainly abundantly curious and important, and which we are disposed to regard as the most valuable portion of the present work, in respect of the real "Antiquities of Heraldry." That certain circles of cousins should have maintained for several generations a great similarity of coat-armour is a very interesting feature of those ages which we must continue to regard as the early ages of Armory; and we will only add for the present that this circumstance fails in satisfying us that the common ancestor really bore coat-armour himself, as Mr. Ellis concludes that he must have done.

<sup>1</sup> See the fine seal of Pilton priory in Devonshire, engraved in Hutchins's Dorsetshire (second edit. iv. 231); but there misappropriated to Milton abbey. See also the *New Monasticon*, Seals of Benedictine Monasteries, pl. xxv.

<sup>2</sup> See our vol. ii. p. 192.

## NOTES AND QUERIES.

JONES MONUMENT IN LLANWARNE CHURCH, CO. HEREFORD.—The old picturesque church of Llanwarne has very recently been dismantled, and presents a mournful contrast to its spruce neighbour and supplanter which surveys it, with the contempt of a vulgar upstart, from the bank above.

The modern monuments will doubtless be carefully removed, but a curious old memorial of the Jones family is likely enough to perish unless it can secure some sort of preservation in your pages.

In a corner on the south side of the ruined church is a square framework (apparently of wood) divided into four equal compartments. The first panel has the arms of Jones in raised carving upon it, viz. (Or) a lion rampant (azure). The second panel has a shield with this coat, a chevron between three eagle's (or other bird's) heads. The third panel is filled with a brass plate, on which is engraved the following inscription:—

Thos Jones A<sup>o</sup> 33 conjug. sui  
cum Maria uxor. eius filia Jo:  
Wildgos arm: providēcia Dei  
hoc posuit in mēm Wmi Jones  
gen. qui obiit . . . Dec. 1598 et Kath-  
erinæ parentum ipsius Thomæ  
pred. et Will. fil. Tho. Jones  
avi et Johannæ uxo. pred.  
avi fil. Will. proavi et  
Eliz. ux. pred. mort. qui  
omnes unico gaudebant  
conjugio, et in memoriam  
Mariæ fil. Jo. Gainsford ar.  
ux. Ed. Jones fil. Tho. Jones  
modo viven. quæ obiit 8  
Jan. 1608.

The fourth panel has a shield with this coat: (Argent) on a fess (sable) three annulets or (Wildgos<sup>1</sup>), impaling a bend engrailed.

With the exception of the brass plate all the monument has been painted white, and of course there is no trace of the tinctures of the above coats.

The Jones family no longer possesses property in Llanwarne, but in its time it seems to have occupied a position of great respectability. A pedigree is given in the Visitation of Herefordshire, anno 1634, commencing with a William Jones who married Katherine Biddleston. They had a son Thomas Jones, the erector of the monument and a Bencher of Gray's Inn, who left two sons: John, unmarried, and Edward, who was twice married; first to Mary Gainsford, by whom he had no issue, and secondly

<sup>1</sup> This coat was granted in 1586 to John Wildgoose of Iridge, Essex.

to Edith,<sup>1</sup> daughter of Roger Pye of Dewchurch, by whom he had three sons; George (living 1634), Thomas, and William, and one daughter Bridget. William appears to have afterwards married Penelope, eldest daughter of Sir John Brydges of Wilton Castle, Bart.

It should be noticed also that John Hoskins of Monkton (a manor in Llanwarne), the father of the celebrated Serjeant Hoskins and ancestor of the present Baronet, married Margery daughter of Thomas Jones of Llanwarne; and another member of the same family, Elizabeth daughter of William Hoskins of Bernithan, was wife of Paul Jones of London, draper, second son of Geo. Jones of Llanwarne, living in 1683.

Monkton, now the property of Mr. Symons of the Mynde, was occupied by the Jones family in 1700, at which time they were also patrons of the living.

C. J. R.

#### JERMYN'S ARMORIAL OF SUFFOLK FAMILIES.

[We have been favoured by the Hon. Curator of the Museum of the Suffolk Archaeological Institute with an account of this valuable collection (formed by Mrs. Catherine Jermyn, wife of the Rev. George Bitton Jermyn, mentioned in the Jermyn genealogy at p. 441 of our fifth volume), and we publish it as a useful guide to armorial information in regard to that county.—EDIT. H. AND G.]

The Jermyn Manuscript in the possession of the Suffolk Institute of Archæology, &c. at Bury St. Edmund's, was presented by Archdeacon Jermyn. It is entitled "*The Heraldic Insignia of Suffolk Families, by CATHERINE JERMYN*," and is in twenty parts or volumes. Three only are bound; the remainder being loose sheets confined between boards, and protected by a velvet cover.

The work is written principally in a small neat hand upon drawing paper of medium quarto size. Each part is furnished with an elaborately designed title-page, and is illustrated more or less with the arms, &c. of each family treated of, beautifully depicted in gold and colours. The initial letter commencing each pedigree is "illuminated," while many engravings of old mansions, churches, and portraits, derived from various sources, with several letters and autographs, are to be found in the volumes.

Though the MS. as a whole is in a very incomplete state, yet it contains a considerable amount of information which probably is not to be easily found elsewhere, and cannot fail to be regarded as a monument of the industry and patience of its fair and talented authoress.

The following remarks preface volume 1, and give the authorities and sources from which the collection was compiled:—

#### PREFACE.

The following collections were originally began by Sir Richard Gipps, Knt. of Great Weltham, in Thedwastry hundred, Master of the Revels to King James the

<sup>1</sup> Miscalled Judith in the pedigree of Pye, given in vol. v. p. 132. In the Register the name is "Yeddythe."

Second, "a curious man (says the Preface to the MS.), and a great searcher into antiquity; had he lived to put his last hand unto them, we might have hoped for a good account of the most antient families in this county; but, as he left only a rough draft of the design, and that very much mixt and confused, our hopes, for the present at least, are frustrated, and this book can be call'd no more than an essay towards recovering some account of y<sup>e</sup> antient families in y<sup>e</sup> county of Suffolk. Sir Richard had taken notice of 180 families in order only, to which are added 100 more, chiefly from such lights as he had left behind him; but, because old families are in some measure like very old ruins, you must take a great deal of pains to clear them of abundance of rubbish before you meet with any worth your search, and more hands than one are required to such a work."

From the above-mentioned MS. which was lent to me by the Rev. Robt. Davers, and which came originally from Rushbrooke, are copied all those families to which the name of Sir Richard Gipps is affixed. This MS. has been collated with and increased from the notes to another copy of the same work belonging to Mr. Case, register of the Archdeaconry of Sudbury.

To this are added such arms as are entered in Hervey's Visitation, copied from a MS. belonging to the Revett family, together with those collected by the Rev. Mr. Leman, amounting to 1,100 or 1,200, now in the library of the Literary Institution at Bath. At the head of Mr. Leman's MS. is the following notice:—

"This Visitation of Suffolk, from one in the possession of Caius Coll. Cambridge, is without date, and exceedingly incorrect, both in the names of persons as well as places. All the additions (except where the arms are emblazoned and the marks of filiation distinguished by red lines) have been since made by me from my own collection. T. LEMAN, 1789.

"It has been since added to and corrected from a MS. belonging to Sir Charles Blois, Bart. of Cockfield Hall, Yoxford, Suffolk. T. L."

The collection has been further increased by the Lists of the Sheriffs of Norfolk and Suffolk, with their respective arms, by R. Blake, Esq. and many others from various churches in Suffolk, copied by Geo. B. Jermyn, D.C.L. and more particularly enriched by the communications of D. E. Davy, Esq. from his splendid collection of Suffolk historical manuscripts: by the notes of that zealous herald the Rev. Frederick Turner Barnwell, various communications and documents from gentlemen in the county, parish registers, and manuscripts in College libraries at Cambridge, and MSS. in the possession of the Rev. T. Cooke of Semer: 1st. Extracts from a MS. relating to the county of Suffolk, formerly belonging to Mr. Appleton, nephew to Mr. Reyce of Preston, a great antiquary, now, 1729, in the possession of Mr. Thickness of King's Coll. Camb. No. 2. The Breviary of Suffolk, by Mr. Reyce, the original in the library of John Anstis, Esq. Garter. No. 3. Extracts from a book of Collections for Suffolk, lately in the possession of Sir Richard Gipps, now in the hands of James Harvey, Esq. of Cockfield, in the said county of Suffolk. No. 4. A mutilated collection of pedigrees.

G. B. J. 1834.

The Suffolk collections made by Henry Jermyn, esq. mentioned in our vol. v. p. 439, were finally purchased by the late Hudson Gurney, esq. V.P.S.A., and by him munificently presented to the British Museum, where they now occupy fifty-one volumes, in the Additional MSS. 8168—8218.

Those formed by Mr. Jermyn's coadjutor David Elisha Davy, esq. of Ufford, were subsequently purchased by the trustees of the British Museum, in 1852, and now form a series of nearly 160 volumes, also in the Addit. MSS.

#### FAMILIES AND ARMS OF KNOLLES AND KNOLLYS.

At the close of the memoir of Sir Robert Knolles (vol. v. p. 295) it has been remarked that probably there is no evidence to be found of the Earls of Banbury having descended from the same family, although they sometimes quartered his arms. Still, in Burke's *Peerage and Baronetage* for the present year will be seen given for the arms of Sir Francis Charles Knowles, Baronet, of Lovel Hill, co. Berks. a shield quarterly of Knollys and Knolles, *i. e.* the two coats described in pp. 294 and 290, accompanied by the following claim to still more transcendent antiquity:—

“The family of Knowles springs from Sir Thomas Knowles, who attended Richard I. to Palestine, and obtained from that monarch, in consideration of his distinguished services, the arms which his successors have continued since to bear. Sir Thomas entered the breach at Jerusalem next after Godfrey de Bouillon. The family name has at various times been spelt indifferently Knolls, Knolles, Knollis, Knowllys, and Knowles. The Baronet's family claims a descent from the Knollys, who were Earls of Banbury.”

Now, what foolery is this! In what credible document will the name of the assumed crusader be found? Then, for the arms of Knollys, Earl of Banbury, *Azure, crusilly and a cross moline voided or*, what antiquity can be established for it? It does not occur in any of the old rolls of arms. As for claiming descent from Knollys, Earls of Banbury, if that were true, would the Earldom have become extinct?

On turning to Debrett's *Baronetage* (for the present year), I find the same absurd legendary story about Richard I. and Godfrey de Bouillon, but a coat of arms very much varied, *viz.*

Per pale azure and gules, crusilly, a cross moline voided or, over all in the centre point a terrestrial globe proper. Crest, an elephant statant argent, in front of an anchor sable.

This, I conclude, is a comparatively modern grant; as I do not find it mentioned in Burke's *General Armory*.

INVESTIGATOR.

NOTE.—On looking at *The Baronetage of England*, by Kimber and Johnson, 1771, we there find what is apparently the original composition of the Baronet's pedigree. It derives him first as “lineally descended from Sir Robert Knollys, the famous general under Edward the Third, who arrived at the highest pitch of military glory:” and afterwards from the family of Knollys, Earls of Banbury, that is to say, from Sir Francis Knollys the fifth son of Sir Francis Knollys and Katharine Carey,—Sir

William Knollys, the first Earl of Banbury, having been their third son. The article is concluded by the following attestation :—

N.B. Almost every particular in this pedigree (which the family was so obliging as to send us in the form it now bears) is to be met with in family deeds, and the writings of the most indubitable genealogists and histories.

—which only proves that the manufacture of *Doubtful Pedigrees* was carried on with a considerable amount of assurance a century ago.

The Arms appended are as engraved in Burke's present *Peerage and Baronetage*, viz.—

ARMS: Quarterly: first and fourth, Azure, Crusuly of Crosslets, a Cross Moline voided Or; second and third, Gules, a Chevron Argent charged with three Roses of the first.

CREST: On a Wreath, an Elephant Argent.

MOTTO: *In utrumque paratus.*

Consulting Papworth's *Ordinary of British Armorial* we find the coat of Knollys Earl of Banbury blasoned there as "Az. crusilly a cross moline (voided throughout, *i. e.*) disjointed or," and again thus: "Az. crusily a cross sarcelly disjointed or." The coat appears to be actually borrowed from that of Sir John de Basinges of Middlesex, Azure, a cross moline voided or; which was differenced by Sir William de Basinges of Kent with a baston sinister gules. These occur in several MSS. to which Mr. Papworth refers, and thus in the Roll temp. Edw. II. edited by Sir Harris Nicolas in 1828 (pp. 25, 26) :—

Sire William de Basinges, de azure, a une crois recercele e voide de or, e un baston de goules.

Sire de Basinge, de azure, a un crois recercele et voide dor.

What led to this coat, with the additional sprinkling of cross-crosslets, to be adopted for Knollys, we do not at present perceive: but we conclude that it was done in the sixteenth century.

Looking subsequently in the *Armorial General* attached to *La Science du Blason*, Paris, 1858, 8vo. we find at p. 168 a coat for Knolls of Allemagne. It is blasoned *D'azur, semé de croisettes d'or, à la croix resarcelée de même.* In the engraving the principal cross assumes a different appearance to the English coat of Knollys because it comes on all sides up to the edge of the shield; the crosslets too are of the plain form, usual in French heraldry, not with crossed terminations like our cross-crosslets. There is in this coat, certainly, a general resemblance to the well-known arms of Jerusalem, whence perhaps is derived the legendary story of the crusader.

How far Knolls is really a German family, or perhaps the name of an Englishman settled in Germany, we know no further than may appear from the statement above quoted.

EDIT. H. & G.

GROSVENOR PEDIGREE, vol. v. 506, 507.—I shall be glad to know upon what part of this pedigree to hang the following descents, which are derived from a power of attorney inrolled in a court book :—

Josiah Grosvenor. — Sarah, dau. of Christopher Jones, of Weston,  
co. Salop, esq. by Sarah his wife, dau. and  
coheir of Thomas Fenton, of Hollin House,  
co. Stafford, esq. ob. 1790.

Thomas le Fenton Grosvenor, of Pickwood, co. Stafford, esq.  
only son and heir, 1802.

*East Dereham.*

G. A. C.

To this inquiry we have been favoured with the following reply :—

Josiah or rather *Joshua* Grosvenor was, I believe, a member of the family of that name seated for many generations in the neighbourhood of Leek, Staffordshire. There is an inscription in Leek church to Sarah relict of *Joshua* Grosvenor, esq. who died 15th Sept. 1790. Some few particulars of this family may be gathered from Mr. Sleight's *History of Leek*, published in 1862, but I have nowhere seen a pedigree, nor have I been able to collect any information relative to the family except that they were of considerable antiquity at Leek, and bore for arms, Paly of ten gules and or, a cross moline argent between four crows sable, quite different from any other Grosvenor coat.

Pickwood, the residence of Thomas Fenton Grosvenor, is near Leek, and now belongs to Mr. Challinor, a solicitor of that town.

H. S. G.

#### THE BUCHANAN PEDIGREE.

Being connected by marriage with the family of Nicolls, claiming descent from John Nicolls of Arran, N.B., I find amongst them a pedigree which gives to the said John Nicolls as wife Fanny daughter of George Buchanan senior, and sister of the poet and historian, whose descent is thus given :—

James IV. of Scotland. — Margaret, dau. of Hen. VII. of England.

James V.      Alexander.      Mary. — George Buchanan.

George Buchanan, the historian.      John Nicolls, of Arran, N.B. — Fanny.

This of course is erroneous *quoad* the royal descent of George and Fanny Buchanan; but, from what has been already stated in the *Herald and Genealogist*, there seems some ground for this claim to royal blood, and, as I have not access to the pedigree given by Buchanan of Auchmar, perhaps the Editor will be so kind as to print that portion of it which relates to the descent of the historian and his sister, and her marriage with Nicolls.

Any information with regard to the pedigree of the Nicolls of Arran will also greatly oblige me. The armorial bearings of Nicolls are, Azure, three pheons [tincture not known]. Crest, a pheon. Motto, *Fide et industria*.

JAMES GRAVES, A.B. Clk.

We fear this genealogical note is altogether very unreliable. It is not only wrong as to the royal descent, but as to the name of the father and mother of the poet. His father (according to Auchmar,) was Thomas Buchanan of Moss, second son of Thomas Buchanan of Drumakill, who was himself a younger son of Patrick Laird of Buchanan. The poet's mother, according to the autobiography prefixed to his Works, was Agnes Heriot (a daughter, according to Auchmar, of Heriot of Trabroun).

Auchmar does not mention Buchanan's sisters; but the poet in his own Life says that he had four brothers and three sisters who attained a ripe age: so that the pedigree, though wrong in every other particular, may be right in the Nicolls match.

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#### QUARTERINGS OF GORGES.

In Vol. IV. of the *Herald and Genealogist*, pp. 262-3, mention is made of a brass in Chelsea Old Church to Sir Arthur Gorges, with a coat of arms which should apparently be:

Quarterly of 4: 1. Lozengy or and azure, a chevron gules. } Gorges.  
 2. Argent, a whirlpool azure.  
 3. Argent, on a chief gules three bezants. Russell.  
 4. Sable, three lozenges conjoined in fesse between as many buck's heads cabossed argent.

This last coat is that of Budockshide, or Butshead, of Devonshire, the three buck's heads evidently borne in allusion to the name.

But Sir Arthur Gorges was not descended from the Budockshides if we follow the pedigrees in Hoare's *Wiltshire* and Burke's *Extinct Baronetage*, though one branch of the Gorges family was; as one of the daughters and coheirs of Roger Budockshide married Sir William Gorges of Bristol, elder brother to Sir Arthur; and the other co-heirs, according to Westcote, married Oliver Hill of Shilston, and John Amadis of Plymouth.

Tristram Gorges, eldest son of Sir William, by the co-heir of Budockshide, married, 1572, Elizabeth Cole; he was buried at St. Budeaux, near Plymouth (where his monument exists), 18th May, 1607; and his wife was buried there 26th Jan. 1608. His eldest surviving son, William, was born 1584, and died 1614. Tristram had three other sons, Christopher, Butshead, and Thomas, who died in infancy; and at least five daughters, Winifrede, baptized 21st August, 1582; Douglas, baptized 4th September, 1586, married 8th July, 1615, to William, third son of Peter Courtenay of Treturfe in Cornwall; Susan, died an infant; Elizabeth, married 1st August, 1614, to Edward, second son of the above-mentioned Peter Courtenay; and Ferdinanda, baptized 24th December, 1596, married the same day as her sister Douglas, to Edward Trelawney; and I suppose that Mrs. Marie Gorges, who married (6th February, 1612) Sampson Manington, was also daughter of Tristram.

On a Gorges' monument in Salisbury Cathedral is a coat of six quarterings—

1. The lozengy coat of Gorges.
2. Russell.
3. The *Gurges*.
4. On three fusils conjoined in fesse as many roundles.
5. A lion rampant.
6. A chevron between three cubes ermine (properly cats on dice).

And on the monument to Sir Edward Gorges and Lady Anne Howard occur the four first quarterings of the above coat. No. 4 is ascribed in Hoare's *Wiltshire* to Newmarch, and is brought in by Russell; No. 5 to Mowbray, and 6 to Englowes. How the two last are brought in I cannot tell.

Is it possible that through some inaccuracy the coat of Budockshide has been inserted in Sir Arthur's brass instead of that of Newmarch? as there is a certain similarity in the coats, and the Gorges family was connected with both Newmarch and Budockshide, it might not be impossible for the confusion to have arisen.

Or, is it beyond a doubt that Sir Arthur was brother of Sir William? if he were son of Sir William and brother to Tristram Gorges of Budockshide, the quartering would be accounted for.

*Rock Wood, Torquay, July 13th.*

EDMUND M. BOYLE.

#### HERBERT AND BEILBY.

Which is the family of Herbert that has borne its arms differenced as follows? It is a variety I do not find in Burke's *General Armory*. Per pale azure and gules, three lions rampant ermine, within a bordure gobony ermine and erminois: on a canton or a saltire of the second. Crest: On a wreath, six arrows in saltire, crossed by a riband scroll, and surmounted by a leopard's head guardant erased at the neck. Motto: *LABOR OMNIA VINCIT*. I take this from the armorial book-plate, perhaps some 70 or 80 years old, of *Samuel Herbert*: beneath which I found another armorial book-plate of *Samuel Beilby*. This has the same motto; for arms, Or, a saltire gules, being the bearing placed in the canton of Herbert as above blasoned; and for a crest, a leopard's head guardant erased at the neck (without arrows). There was evidently, therefore, some relationship between Samuel Beilby and Samuel Herbert, and possibly both book-plates belonged to one person. Was the name of Herbert assumed by a Beilby? and when? The name of Beilby does not occur in the alphabet of Burke's *General Armory*.

N. H. S.

To what family does—A chevron between three pheons (tinctures not marked) impaled with Scotland's lion—belong? Crest, A demi-angel? Carved in wood over a chimney-piece in Herefordshire.

G. K.

**NAMES WITH AN ALIAS.**—I am desirous to ascertain the number of families in mediæval times who used an *alias*, and the reason or reasons of their doing so, such as Ricards alias Fermour, Smith alias Heriz, &c. I find such *alias*'s mostly amongst the smaller gentry: but why were they assumed? Was it from illegitimacy,—it certainly was sometimes so; or was it more frequently from the mother being of a more important family than the father? In such cases, which name had the precedence—the father's or the mother's? Or was a name sometimes assumed with an inheritance, as in modern times? These questions can only be solved by collecting evidence of the circumstances under which particular cases of such names are found.

T. B.

Perhaps some correspondent may be able to give me information respecting the Hopwoods of Milton, co. Hereford, temp. Car. I., whose arms were "Azure, a pile or." Did this family derive its origin from a place of that name near Alnechurch, co. Worcester? and is there any reason to believe that they and the Copwoods, whose arms are strikingly similar, were descended from a common ancestor? If it be true that the names of both families were originally "Chopwood," and that the arms allude to the name (a wedge or pile being the distinctive peculiarity of both coats), then we find a curious and interesting illustration of the ancient system of "differencing" families. One family would have dropped the initial letter "C" of the ancient surname, retaining its present form Hopwood, while the younger branch dispensing with the "H" used the name of "Copwood." The arms being differenced by a change of colour, and the addition of two displayed eagles, thus—

(C)HOPWOOD—Azure, a pile or.

C(H)OPWOOD—Argent, a pile engrailed azure between two eagles displayed vert.

DE BRUGIENSIS.

**STANLEY AND KELLAR FAMILIES.**—The Hon. and Rev. Edward Finch, canon residentiary of York, and prebendary of Canterbury, fifth son of the first Earl of Nottingham, died at York in February 1737-8, leaving a widow whom he describes in his will (proved at York) as "Mary, third daughter of Dr. Nicholas Stanley." She died Feb. 26th, 1741, and in her will proved in London leaves a legacy to her "cousin Kellar." I am desirous of ascertaining how the Stanley and Kellar families were connected; also, where I could find a pedigree of the Kellar family?

Bath.

C. P. R.

**MORES.**—In the Cathedral Church of Hereford there is an ancient brass to the memory of Sir Richard Delabere, who was made Knight Banneret at the battle of Stoke. By his two wives he was father of twenty-one children, whose effigies are depicted on the brass. The five eldest were born to the first wife, daughter of Lord Audley; the heir, and the remaining fifteen, were children of Elizabeth, daughter of William Mores, or Morris, Serjeant of the Hall to King Henry VII. Can any of your readers tell me to what family this William Mores belonged, and where any account of that family can be found?

B. G. W.

## THE BARONY OF POWYS.

The Feudal Barons of Powys. By MORRIS CHARLES JONES. London: J. Russell Smith, Soho Square. 1868. 8vo. pp. 165. (One hundred copies, for general sale, reprinted from *Collections, Historical and Archæological, relating to Montgomeryshire*, issued to the members of THE POWYS-LAND CLUB.)

The Powys-land Club was set on foot in May 1867, in order to investigate and illustrate the historical, ecclesiastical, genealogical, topographical, and literary remains of Montgomeryshire. It has met with a cordial welcome, and, having been at first limited to one hundred members, has been opened, at its recent anniversary, for the reception of one hundred more. Its first production was a memoir of the native Princes of Upper Powys, by the Hon. and Rev. G. T. O. Bridgeman, M.A.; reprinted, with additions, from the *Collectanea Archæologica* of the Archæological Association, in which it first appeared in 1862. Mr. Morris C. Jones (one of the hon. secretaries of the club,) pursues the same subject in the memoir before us; for the feudal Barons have, in fact, been the successors and actual representatives—with inferior powers and prerogatives—of the ancient sovereign Princes.

The Welsh princes of Powys had been induced to form Norman alliances for some four generations before their extinction. Wenunwen ap Owen, who died *circ.* 1218, married Margaret Corbet, daughter of the lord of Caus in Shropshire. His son Griffin took for wife Hawise, daughter of John le Strange, of Nesse and Cheswardine; Owen, the son of Griffin, married another Corbet; and his son, Griffin ap Owen, married Ela Audley. Partly, no doubt, as a result of this, or at any event in connection with it, these princes were generally loyal allies of the English kings, though occasionally they were drawn into an opposite course by the overbearing influence of the more independent Princes of North Wales.

It was Owen, the last but one of the four Princes of Powys that we have just named, who in 1283 surrendered to King Edward I., in a parliament held at Shrewsbury, the name and crownlet of a prince (*nomen et circulum Principatus*), and received back his lands to hold them *sub nomine et tenura liberi baronagii Angliæ*. Thus the barony, or lordship, of Powys had its origin, not from conquest, as the other lordships marcher of the neigh-

bouring territories, but by the submission of the princes of Upper Powys to the English crown, and their consenting to hold their lands in fealty and *per baroniam*.

We need scarcely remind the reader that the whole of Wales in the eighth century acknowledged one sovereign in the person of Roderic the Great; but that on his death it was divided between his three sons, into three principalities, over all which the princes of Gwyneth, or North Wales, had a nominal supremacy. The principality of Powys, which fell to Mervyn the third son, was the country above the Wye, comprehending Montgomeryshire, parts of Shropshire and Merionethshire, and parts of the present counties of Brecknock, Denbigh, and Radnor.

The Princedom of Powys had a crown (*cercum*) of its own, within its own limits, called the Crown of Mathraval, which, together with its lands and tenements to the same Crown of Mathraval joined and annexed, were subject to the Princes of North Wales, and held of the Crown (*de cerco*) of Aberffro. After Edward I. King of England subdued North Wales, the rights attached to the Crown of Aberffro devolved upon him and his successors as PRINCES OF WALES; and, the Princes of Powys surrendering their princely rights, the Lordship of Powys (as it then became) is said to have been held of the King of England as Prince of Wales, *in capite*, by baronial service, viz. *de cerco* of Aberffro. (Montgomeryshire Collections, i. 254, quoting an Inq. 6 Hen. VI.)

Griffin ap Owen, the last prince of Powys in the elder male line,<sup>1</sup> died under age, in 1369, leaving an only sister and heiress, Hawise, — (surnamed Gadarn, or “the Hardy,” from encountering the siege made on the castle of Pool by her uncle Griffith,) then nearly eighteen, who was shortly after bestowed in marriage upon John de Cherleton, or Charleton.

Mr. Eyton, the historian of Shropshire, has shown that John de Charleton was the eldest (and not, as some have supposed, a younger) son of Robert de Charleton, of Charlton, in the parish of Wrockwardine, co. Salop.

His supposed brother Alan Charleton, of Apley, married Elena,

<sup>1</sup> There was a junior branch, descended from his uncle William. They bore the surname de la Pole, and were lords of Mowddwy, or Mowthey, in Merionethshire, where they continued until the beginning of the fifteenth century. Fulke the last lord of Mowddwy died in 1414: Elizabeth his sister and sole heiress was married to Hugh Burgh, of the Burghs of Westmerland: and the inheritance was divided, two generations later, between four sisters and heiresses, married respectively to the well-known families of Newport of High Ercall, Leighton, Lyngen, and Mytton. Mr. Bridgeman's memoir comprises the history of these lords of Mowddwy.

daughter and co-heir of Alan la Zouche, a baron by writ, and was ancestor of the Charltons of Ludford, co. Hereford, baronets. Thomas de Charleton, another brother, was Bishop of Hereford 1327—1344, and Lord Chancellor of Ireland.

Sir John de Charleton, Lord of Powys, lived to the age (so unusual at that period) of eighty-five, and died in 1353, having for forty years received summonses to Parliament. He was not therein designated as “dominus de Powis,” although, as the writer before us remarks, “it cannot be questioned that he received that summons as the feudal lord, in right of his marriage, of the land of Powys.” Such inadvertencies, unthought of when they occurred, have been magnified into importance by the legal quibbles of later times. In one of his charters to the borough of (Welsh) Pool he styles himself “dominus de Pola,” in another “Dominus Powis.” In a royal writ of 14 Edw. II. he is addressed as Dominus de Powis; and when discharged from imprisonment, in 16 Edw. II. as one of the adherents of the Earl of Lancaster, he is designated Johannes Dominus de Powis. In 16 Edw. II. the King addresses him as Dominus terræ de Pouwys, and in 17 Edw. II. as Seign<sup>r</sup> de Powys. There is, therefore, overwhelming evidence against the crotchets of the peerage lawyers, that he was merely Lord Charleton.

JOHN DE CHARLETON, the second of the name, though summoned to Parliament only as *Johanni de Cherleton*, is in several documents designated as “Johannes de Charleton dominus de Powys.” He died in 1360.<sup>1</sup>

<sup>1</sup> The alliances of the Lords Powys were with the greatest peers of the land. John, the second of the Charltons, married Maud Mortimer, daughter of Roger first Earl of March. John, the third, married Joan, daughter of Lord Stafford. John, the fourth, married Alice FitzAlan, daughter of Richard Earl of Arundel. Edward, the fifth, married first Joan, widow of Roger, Earl of March, daughter of Thomas Holand, Earl of Kent; and secondly Elizabeth, daughter of Sir John Berkeley of Beverstone, who was remarried after his death to John fourth Lord Dudley. All the Extinct Peerages have heretofore stated these marriages very inaccurately, giving Joan Stafford to the second lord, and Maud Mortimer to the fourth. Moreover, Dugdale and all his successors, including Nicolas and Courthope, gave one Baron too few, making but one person of the second and third. This error was pointed out by Mr. Eyton, in his *Antiquities of Shropshire*, ix. 34, and as he supposed for the first time in any genealogical work: but Mr. Morris Jones remarks that in the Case of Mr. J. Kynaston Powell, claiming the Barony in 1800, the four John de Charltons had been duly set forth.

JOHN DE CHARLETON (the third) was summoned in 47 Edw. III. as "Johanni de Cherleton de Powys,"—thus satisfying the exigencies of the peerage lawyers: and so was his son JOHN DE CHARLETON, the fourth, who is simply named "Le Sire de Powys" in the Proceedings of the Privy Council, 1 Hen. IV. He died in 1401, and was succeeded by his brother EDWARD, who was elected knight of the Garter in 1408. This last lord of the Charleton line is further historically memorable, as the captor (by the hands of his tenants<sup>1</sup>), in 1417, of the persecuted Sir John Oldcastle, Lord Cobham, who had long lain concealed with some Lollard friends at Broniarth in Powys-land, and who subsequently suffered a cruel martyrdom.

This incident is the more remarkable in the history of Powys, from Sir JOHN GREY having been sent to convey the captured heretic to London, and the same Sir John Grey soon after receiving the hand of Joan Charleton, the Lord Powys's elder daughter and co-heir. He was a son<sup>2</sup> of Sir John Grey of Berwick in Northumberland, by Jane, daughter of John Lord Mowbray, and, being a knight attendant on Henry the Fifth, was one of the three (Sir Gilbert Umphraville, Sir John Grey, and Sir Rowland Lenthall,) to each of whom that monarch bequeathed a golden cup in the will he made before his invasion of France in 1415. Sir John Grey was at Agincourt with a retinue of thirty-three lances, and his name occurs continually in the annals of the warfare in France. In 1418 the King distinguished his services by conferring upon him the Earldom of Tancarville, within his duchy of Normandy,—to be held by homage and the service of rendering one basinet, yearly, at the feast of Saint George, at the royal castle of Rouen. He was also elected a knight of the Garter; but was slain with the Duke of Clarence at the battle of

<sup>1</sup> "We, Jevan and Gruffuth, sones of Gruffuth ap Jevan ap Madoc ap Gwennoys, of Powys londe, gentilmen, Hoel ap Gruffith ap David ap Madoc, and Dero ap Jevan ap Jorum ap Ada, of the same lond, 3emen, tenauntz to sire Edward Charletoun knyght, Lord of Powys, and takeres of Sir John Oldecastell that was myscreant and unboxome to the lawes of God, and traitour convicte to oure gracious soveraigne Lord and his, Henry kyng of Englund," &c. (Claus. 8 Hen. V. m. 24 dors.)

<sup>2</sup> The son is after his death styled Sir John Grey of Heton in a writ of the King to the bailiffs of Rouen. Rymer, x. 95.

Baugé, fought on Easter-eve, March 22, 1420; his father-in-law, Edward de Cherleton, having died (probably at home) on the 14th of the same month.<sup>1</sup>

HENRY GREY, son of Sir John, was under age at his father's death, but is designated "dominus de Powys" when knighted, together with his sovereign (Henry VI.,) by the hands of John Duke of Bedford, the Regent of France, at the time of the parliament held at Leicester, in Whitsuntide in 1425-6. He is usually mentioned by the title of Lord Powys, but he uses that of Earl of Tancarville also in a charter he granted in 1448 to the town of Llanfyllin. When his descendant Mr. John

<sup>1</sup> We find this to be the truth upon comparison of dates: though Mr. M. Jones says (p. 73)\* that "The Earl predeceased his father-in-law Edward de Cherleton." Mr. Jones's statements on this point are inconsistent. He states: 1. That Edward de Charleton died on Friday before Palm-Sunday, 14th March 9 Hen. V. 1421 (p. 42)†; 2. that the Earl of Tancarville predeceased his father-in-law, being slain with the Duke of Clarence and the Earl of Kent at Baugé on the 3rd April, 9 Hen. V. 1421 (p. 73); 3. that Edward de Charleton, lord of Powys, died Friday before Palm-Sunday 9 Hen. V. 1421 (p. 75). The dates help to rectify themselves: for 1. "Friday before Palm-Sunday the 14th March" was really in 8 Hen. V. when Palm-Sunday was on the 16th of that month and Easter day on the 23rd. There was actually no Palm-Sunday in the 9th Hen. VI. as will be seen by the brief table annexed. 2. The battle of Baugé was fought on Easter eve, March 22, 1420-1 (Fabyan says erroneously "the xxij day of Apryll:" see our last volume, pp. 341, 342.) 3. The miscalculation of "the 3rd April" is not (so far as we can find) derived from "Collins's Peerage," but that date happens to be the Friday before Palm Sunday in the following year, which accounts for its appearance. As to Edward de Charleton, the misapprehension is accounted for by the inquisition *post mort.* having been held in 9 Hen. V. (Esch. 9 Hen. V. n. 537), which regnal year commenced on the 20th March 1420-1, within a week after his death. Thus the chronology is as follows:—

1420-1. March 14, Friday (the death of Edward Charleton Lord Powys).

„ 16, Palm Sunday.

„ 20, The 9th Hen. V. begins.

„ 22, Battle of Baugé, where Sir John Grey was slain.

„ 23, Easter Day.

1421-2, March 20, The 10th Hen. V. begins.

1422. April 3, Friday.

„ 5, Palm Sunday.

„ 12, Easter Day.

(The "Earl of Kent," supposed to have been slain at Baugé, was Sir Gilbert Umphrville, Earl of Kyme, as shown in our last volume, p. 346.)

\* *Montgomeryshire Collections*, i. 331 (referred to hereafter as *M. C.*)

† *M. C.* 300.

Kynaston Powell claimed the barony of Powys in 1800, he had in his possession the original matrix, "in bell metal," of a seal bearing the following legend: S. Henr' Gray Comitis Tancarville, s. d. Powys, et d. Tilly Grād Chamblaing heredit' de Normand'. (See this further described hereafter, p. 120.)

Tancarville, however, was lost to the French on the opening of the war in 1449. After that, Henry Grey was Lord Powys only; and, although no record is preserved of his having been summoned to parliament, it can scarcely be disputed that he was a peer of the realm. He married Antigone, a natural daughter of Humphrey Duke of Gloucester; and died in 1450, leaving issue—Richard his son and heir, Humphrey who died issueless, and Elizabeth, afterwards married to Sir Roger Kynaston.

RICHARD GREY was only fourteen years old at his father's death, and there has been some difficulty in proving that he ever sat in Parliament. He occurs however in a list of peers 1 Edw. IV., and is mentioned as Lord Powys in various other places. He died in 1466, leaving John his son and heir only six years of age.

This JOHN was summoned to Parliament in 1482 as Johanni Grey de Powes—whence a fancy that a fresh barony was thereby created of "Grey of Powis," entertained by those who choose to regard the previous barony as "Cherleton."

This lord died in 1497, leaving as his son and successor another JOHN, who married Margaret, daughter of Edward Lord Dudley, K.G.,<sup>1</sup> but died without having been summoned to parliament (being only nineteen,) in the year 1504, leaving a son and heir Edward, then a year old.

Altogether, these Greys were a short-lived family. Five of them in succession attained to their inheritance when infants, and

<sup>1</sup> It is to this marriage that Leland, in his Itinerary, makes this somewhat enigmatical allusion: "The lorde Powis' grauntfather that now is, being in a contraversy for asawte made apon hym goying to London by the lord Dudeley and by Dudeley castelle, condescendid, by entreaty, that his son and heire should marry the olde lorde of Dudeleis doughter, mother to the lord Powis that is now." The meaning of which we presume to be that Lord Dudley purchased exemption by the hand of his daughter from the charge of damages wherewith he was threatened for something like highway robbery. See our vol. v. p. 121.

in the short space of eighty-three years four generations of them passed away.

EDWARD GREY, the last Baron of the race, appears to have become the ward of the well-known Charles Brandon, Duke of Suffolk, under whose charge he went the French campaign of 1523, and was knighted at the town of Roy, together with Lord Herbert, son and heir of the Earl of Worcester. The Duke also provided him with a wife, in the person of his own daughter the Lady Anne Brandon;<sup>1</sup> but this marriage proved unfortunate, for the lady Anne had no issue, and a separation must have taken place. Lord Powys took to his bed Jane Orwell, the daughter of Sir Lewis Orwell knt., by whom he had issue a son Edward and other children.<sup>2</sup> For these and for their mother he did his best to provide by will. He even bequeathed to them, with the bulk of his estates, "my Barony and lordship of Powys, with my castle and manor of Poole," &c. &c., settling them in remainder as he might have done to a legitimate progeny. The castle of Charlton and manor of Pontesbury were left to their mother for her life. In pursuance of this disposition, he was succeeded in his principal estates by his illegitimate son Edward,<sup>3</sup> who possessed the lordship and castle of Powys for the next five and thirty years.

An inquisition taken at Montgomery in 1551 upon the death of Edward Grey, Lord Powes, testified to the fact that he had "in his life suffered a recovery and made a deed of feoffment,

<sup>1</sup> The Lady Anne Powis was the elder daughter of Charles Brandon, Duke of Suffolk, by his second wife Anne daughter of Sir Anthony Browne, but born before marriage—probably before the Duke's divorce from his first wife. Thus the conduct of her husband was much what that of her father had been. Lady Anne survived her husband, and was remarried to Randle Hanworth, esq. Her will dated 29 Oct. 1551 is extant, and she was buried on the 13th Jan. 1557-8 following, either in Westminster abbey, or at St. Margaret's church adjoining. See Machyn's Diary, pp. 163, 362, 404.

<sup>2</sup> Mr. Morris Jones (p. 91) says "six illegitimate children," and gives their names; but he has accidentally picked up the next generation—the children of the son Edward. (See Addit. Note, hereafter, p. 118.) Lord Powys's will made in 1544 named only Edward, Jane, and Anne, and a child then expected to be born.

<sup>3</sup> Mr. Jones suggests (p. 91) that Edward Grey was an infant of three or four years old at the time of his father's death in 1551, apparently calculating from a record dated 1568 (p. 92); but there must be some mistake in this, as he was mentioned by name in the will his father made in 1544 (p. 90). (*M. C. i.* pp. 348, 349, 350.)

and made a will and codicil," whereby, in default of his leaving lawful issue, he limited his estate to his bastard children, and whereby Edward Grey was his *consanguineus et hæres in remanentia*.

Edward Grey, the bastard, was scarcely however possessed of the property thus settled on him, before certain claims were raised by the family of Vernon, upon the merits of which a mystery has continued to hang that has never been removed by the researches of successive generations of genealogists. George Vernon, of Hodnet in Shropshire, died in 1554; and when an inquisition was taken after his death, at Drayton-under-Hales, on the 26th Jan. 1 and 2 Phil. and Mar., the Vernons caught at the opportunity to assert that he was seized in fee of and in one moiety of the manor of Buildwas, &c., as cousin and one of the coheirs of Edward Grey, Lord Powes; but that he did not die so seized, because John Herbert and Jane his wife entered upon his possessions, and were seized thereof at the time of the inquisition, but by what title the jury knew not.

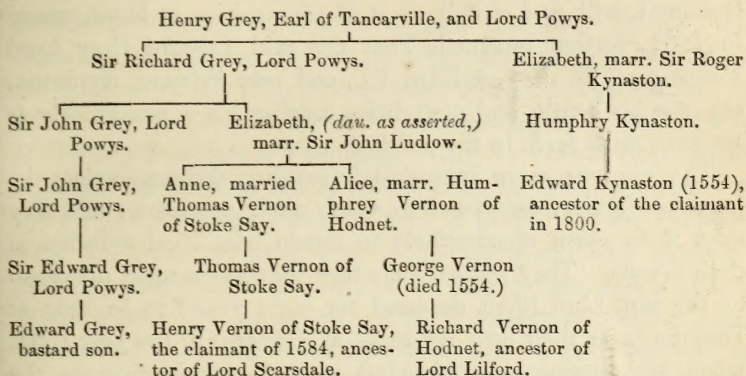
Jane Orwell, it appears, the mother of the late Lord Powys's children, had married, shortly after his death, one John Herbert, esquire, who is supposed by the historians of Shrewsbury<sup>1</sup> to have been a son of the celebrated Sir Richard Herbert, and in that case (they add) a brother of Edward Herbert, esq. of Montgomery, who purchased Powis castle. The purchaser, however, (as Mr. Morris Jones informs us, p. 92) was Sir Edward Herbert the second son of the first Earl of Pembroke (of the second creation), and not Edward Herbert esq. the son of Sir Richard Herbert of Montgomery. Edward, a brother of John, had previously acted as steward.

Jane and her husband were still living in 1596; when they addressed a letter to their "cosyn Edward Kynaston," signing themselves "your kinswoman Jane Powys," and "your kinsman John Herbert." (*Kynaston Peerage Papers*, No. 134.) The fact of her having assumed, and always retaining, the surname of *Powys* is remarkable.

The grounds of Mr. Vernon's pretensions and of subsequent

<sup>1</sup> Owen and Blakeway, i. 350.

claims will be most clearly shown by the annexed tabular pedigree:—



The first approach, as we have seen, proceeded from Vernon of Hodnet, but it was Vernon of Stoke Say and his posterity that were most persevering in their assaults.

However, Edward Kynaston, esq. of Hordley, co. Salop, the grandson and heir of Elizabeth Grey, did not allow them to go unquestioned. Alarmed by the proceeding already described, he shortly after (Nov. 19, 1554,) brought a bill in Chancery against the cousins Thomas and George Vernon, charging them with setting up a pretended title to be heirs to Edward the last Lord Powes. Witnesses were examined *in perpetuam rei memoriam*; two of whom that had lived in the household of Lord Powes are described as being of the age of a hundred years old and upwards. The substance of their depositions was, that they well knew Richard Grey, Lord Powes; that he had a sister named Elizabeth who married Sir Roger Kynaston, and that he had a son named John, *but never had a daughter named Elizabeth*, nor any other lawful issue but only the said John. Further, that his wife had two daughters by a former husband named Vaughan, who lived in the house with the said Richard Grey (implying, it may be presumed, that Lady Ludlow was one of them). Other witnesses deposed that Edward Grey the last Lord Powes never reputed the Vernons to be kin to him, but always denied they were, and at the same time acknowledged the Kynastons.

Mr. Kynaston also procured another inquisition to be taken

(in 1556) at Llanvilling, "post mortem Edw. Grey milit. dom. Powys," at which the jury, after finding the recoveries, deed of feoffment, will, and codicil, as at the inquisition at Montgomery in 1551, further returned, That the said Edward Grey Lord Powes died 2d July, 5 Edw. VI., and that Edward Kynaston, esq. was his cousin and next heir—tracing his consanguinity as we have set it forth in the pedigree.

The Vernons, more immediately coveting the estates than the baronial dignity, continued to worry their possessors; and they even went about clandestinely to obtain false legal evidence in their favour. They procured another inquisition upon the death of the last Lord (then deceased for eight years) to be held at Drayton (near their own residence at Hodnet) in the year 1559, when, after stating his settlements as in former inquisitions, the jury were persuaded to find "that Edward Lord Grey never had a son or daughter by the said Jane Orwell; that Sir Lewis Orwell never had any such daughter as the said Jane, and that there never were any such persons *in rerum natura* as Jane Orwell and Edward Grey the bastard son of Edward Lord Powes; and then find that Henry Vernon and Richard Vernon were his cousins and right heirs, as descended from Elizabeth daughter of Richard Lord Powes aforesaid." But these monstrous perversions of the truth were wholly abortive; for this inquisition was vacated by a supersedeas, on the petition of John Herbert and Jane his wife.

Still, the death of Richard Vernon was made the stalking-horse for further assertions of a like character. At an inquisition taken in 1565 (four years after his decease) it was averred that "one Edward, son of Joan Kempe, pretending to be a son of Edward Lord Powes by one Jane Orwell," had intruded and taken the profits of certain lands from the death of Richard Vernon to that time; and further, that the feoffment made by Edward Lord Powes was forged since his death. Such were the gross misrepresentations by which the Vernons disgraced their claims. But these inquisitions were afterwards entirely vacated and condemned by a decree in the Court of Wards, made in 1585, in a cause *inter* Vernon and Grey the bastard.

The Vernons appear to have persecuted the bastard heir with

endless litigation—probably with more than we are now aware of. At last the Herberts came to the rescue, and secured the estates for themselves. We have seen that Jane Orwell, the bastard's mother, was married to John Herbert: and eventually the castle of Powis, with its dependent estates, was purchased, in 1587, by Sir Edward Herbert, already mentioned, second son of William first Earl of Pembroke. The Vernons were powerful in their position and family connections, for they were allied to the Earl of Shrewsbury and the Earl of Essex; but the Herberts were still more potential, both in themselves and their alliances. The Kynastons could do little more than protest and acquiesce in the decisions of the courts. The settlements of the last Lord Powes had been confirmed by due process of law, and yet (as remarked in *Mr. Kynaston's Case* in 1731) “the bastard Grey thought it more for his security to come to an agreement with Mr. Kynaston; and thereupon, by deed dated 10 Eliz. 1568, the bastard (as soon as he came of age<sup>1</sup>) conveyed to Edward Kynaston the manors of Plas-y-ddinas and Trewarn, in com. Montgomery, of 500*l.* per ann. value, in consideration of the said Edward Kynaston's assigning over to the bastard all his right, as heir-at-law to the said Edward Lord Grey, to his other estates.”

The aims of the Vernons became more lofty and aspiring. In 1584, thirty-three years after the death of Lord Powes, Henry Vernon esquire of Stoke Say presented his claim to the dignity of the peerage. After asserting that heirs female inherit baronies created by writ of summons, and supporting that assertion by numerous examples, he claimed<sup>2</sup> the Barony of Powes, on the ground that his grandmother Anne was the *elder* daughter and co-heir of Elizabeth, who (as he still maintained) was the daughter of Richard Grey Lord Powes. A notion then prevailed, founded on several precedents, that an elder co-heir had a paramount claim to a barony, which indeed was supported by

<sup>1</sup> He was more than of age, as having been named in his father's will of 1544.

<sup>2</sup> The *Case of Henry Vernon, esq.* is printed at length in Arthur Collins's *Precedents, &c. concerning Baronies by Writ.* 1734. Mr. Morris Jones gives that portion relating to Vernon's own claim, pp. 104—109. (*M. C. i.* 362—367.)

the fact of the Greys having been summoned to parliament as Barons of Powys.

This claim was referred by Lord Treasurer Burghley and the Earl of Leicester (then Deputy Earl Marshal) to Cooke Clarenceux and Glover Somerset (the office of Garter being then vacant); and they reported that they did not find in the books of their office "any daughter of the late Lords of Powis other than Elizabeth daughter of Henry and sister to Richard Lord Powis, which was married to Richard Kinaston;" but they admitted that in certain old books, written in the Welsh tongue, it appeared that Richard Lord Powys had also a daughter called Elizabeth, but no further mention was made of her marriage or issue.

The reign of Elizabeth was not one favourable to the admission of claims of this nature, even when they were well-founded. But the graver difficulties in Mr. Vernon's case probably had weight. Nothing further regarding his claim has been discovered; and in 15— he died without issue, leaving his sister Elianor his heir, who carried his rights of inheritance, whatever they might be, into the family of Curzon.

Meanwhile the territorial lordship of Powis Castle had passed (in 1587) to Sir Edward Herbert; and in 1623 the title was revived in that family. Sir William Herbert, K.B., the son and successor of Sir Edward the purchaser, was then created Baron Powis of Powis Castle, co. Montgomery.<sup>1</sup> This dignity was enjoyed by five barons, in as many successive generations. William the third Lord Powis was advanced to the title of Earl of Powis in 1674, to those of Viscount Montgomery and Marquess of Powis in 1687; and by King James II. after his abdication, to those of Marquess of Montgomery and Duke of Powis. These last were of course disallowed in this country: but the family was not ruined by its Jacobitism. The Duke's son (having succeeded his father in 1696) was confirmed in the family's ante-Revolution honours in the year 1722, by the outstanding out-

<sup>1</sup> Before this, in 1605 the title MONTGOMERY had been for the first time taken for an Earldom conferred on Philip Herbert, the younger brother of William Earl of Pembroke. It merged in the title of Pembroke when Philip succeeded his brother in 1630, and is still united with that Earldom.

lawry being reversed. At last the title became extinct, on the death of William the third Marquess, in 1748.

But his niece and heiress had married another member of the Herbert family—Henry Arthur descended from the heiress of the Lords Herbert of Chirbury (of the first creation), and he was immediately recognised by the royal favour. In the same year of his succession to Powis Castle (1748) he was created Baron Powis, Viscount Ludlow, and Earl of Powis. He left one son, who succeeded him, but who died without issue in 1801, when Edward second Lord Clive, (son of Robert the first and Indian Lord Clive,) having married Henrietta Antonia Herbert, sister to the last Earl, was in 1804 created Baron Powis of Powis Castle, Baron Herbert of Chirbury, Viscount Clive of Ludlow, and Earl of Powis. He was grandfather of the present Earl.

To return to our history of the ancient Barony of Powys.

Nearly a century and a half had elapsed from the time of Henry Vernon's claim, when Sir Nathaniel Curzon, bart., who was fourth in lineal descent from Francis Curzon and Elianor Vernon before mentioned, was instigated to renew the pretensions of his ancestors. This appears from a letter<sup>1</sup> of the historian Carte (dated 11th Dec. 1729) to John Kynaston esquire, informing him that Sir Nathaniel Curzon was then "suing for a writ to be called to the House of Peers as Lord Grey of Powis."

Mr. Kynaston determined to be first in the field. In 1731 he formally preferred his claim to the Barony of Powys, "as next cousin in blood and heir of Edward the last Lord Grey of Powis." Sir Nathaniel Curzon thereupon presented a counter-claim.<sup>2</sup> Proceedings were taken in the House of Lords in the matter during the sessions of 1731 and 1732; but, Mr. Kynaston dying in 1733, it was then suffered to drop.

After a lapse of seventy years the Barony was claimed for the third time by John Kynaston Powell, esq. who was grandson in the male line of the former claimant, but had taken the additional name of Powell, in compliance with the will of a maternal

<sup>1</sup> Amongst the Kynaston peerage papers.

<sup>2</sup> Both these Cases are preserved in Collins's Precedents, and are reprinted in the volume before us.

uncle.<sup>1</sup> Mr. Kynaston Powell's petition, which was presented to the House of Peers by the Duke of Portland on the 21st April, 1800, having been referred to a committee for privileges, was immediately met by a counter-petition from Lord Scarsdale,—representing the old claim of the Curzons and Vernons of Stoke Say, and by another from Lord Lilford, as heir of the Vernons of Hodnet. The Earl of Powis also presented a petition praying to be heard by counsel. After hearing Mr. Kynaston's counsel on the 16th June, Mr. Attorney-General (Mitford<sup>2</sup>) informed the committee that, upon the investigation of the claim before him, it had been stated that there were co-heirs of John Tiptoft Earl of Worcester (another co-heir of the Barony of Powys) still alive, although it was not stated to him who they were by name. He prayed therefore that notice of the petitioner's claim might be given to such co-heirs: and the committee thereupon passed a resolution to that effect. The result of this resolution was, that no further proceedings were taken. Mr. John Kynaston Powell, many years after, was contented to accept a baronetcy, granted with remainder to his brother Edward, one of the King's chaplains, who consequently succeeded in 1822, leaving issue the late Sir John Roger Kynaston, who dying unmarried in 1866, the baronetcy also expired.

We cannot entirely agree in all the observations made by Mr. Morris Jones upon these successive claims: and further we venture to say that we do not at all coincide in the view which was taken by Sir Harris Nicolas<sup>3</sup> regarding the Barony of Powys.

<sup>1</sup> This very able Case, which bears the signatures of T. Erskine (afterwards Lord Erskine) and W. Adam, is also reprinted by Mr. Morris Jones.

<sup>2</sup> Afterwards Lord Redesdale, who became eminent for his attention to the subject of Peerage, and composed several Reports of Committees on the subject.

<sup>3</sup> *Synopsis of the Peerage*, 1825. Mr. M. Jones, quoting Sir Harris Nicolas from the later edition of that book, which appeared in 1857, under the new title of *The Historic Peerage*, has fallen into the misapprehension that the observations in question are quoted by Mr. Courthope (whom he regards as author rather than editor of the *Historic Peerage*) from some other work, and made by "another eminent writer," "this able writer," and "the learned and able writer who has been so often quoted," &c. (pp. 132, 133, 164.) On comparing the two editions, we find in both the observations under CHERLETON and GREY identical, excepting the last paragraph (p. 103 of *The Historic Peerage*), relating to the supposed attainder of the Earl of Worcester, and to his co-heirs, and that probably was amended by Sir N. H. Nicolas's own pen.

Sir Harris Nicolas, contrary to the various evidence which has now been collected by Mr. Morris Jones,—but of much of which it must be allowed he was not cognizant, did not admit the existence of an ancient Barony of Powys—he has no such head or article in his *Synopsis*; but he considered that two distinct Baronies by Writ were created, the first of CHERLETON, when John de Cherleton was summoned to parliament in 7 Edw. II., and the other of GREY OF POWIS, when John Grey was summoned in 22 Edw. IV. He remarks that “the appellation of Powis was not adopted until the 36th Edw. III. forty-nine years after the creation of this Barony [*i.e.* after the summoning of Edward de Cherleton in 7 Edw. II.], and then, in all probability, merely as a *distinction*, without its being intended to form the *title* of the dignity.” (*Synopsis*, p. 122.) And after a long examination of other presumedly similar titles, Sir Harris arrives at the conclusion “that this examination strengthens the opinion that the original and proper designation of this Barony was and still is that of CHERLETON, and that the subsequent alteration should not be adopted in preference to the title of the first creation” (p. 123). Again, under Grey (p. 282), “it is presumed that the proper title of this dignity is GREY DE POWIS:” and again (p. 284), “the word *Domino* [in the writs of summons] never formed part of such addition [of distinctive description] until the reign of Henry the Sixth;” adding that “the origin of these descriptions, which occur even in the first writ of summons on record, the 49th Hen. III. was manifestly to distinguish one individual from another or others of the same name, without its ever being intended or considered to be the title of the Barony.”

In the views thus put forth by Sir Harris Nicolas, and maintained by Mr. Courthope in his edition of *The Historic Peerage*, we think there is now ample evidence that both were wrong.

It must now be considered as sufficiently proved that Powys, originally a principedom in North Wales, became an English Barony at the parliament held at Shrewsbury in the 11th Edw. I. 1283, and in any future edition of the *Synopsis of the Peerage* the article of POWYS ought to contain (in the first place) under that head, as English peers, the two last of the Welsh race, named by their Norman subjugators Owen de la Pole and Griffin de la Pole: to

whom succeeded John de Charleton as the *third*, not the first Baron; next his son and two grandsons of the family of Charleton; and then, as *seventh* Lord Powys, Henry Grey, Earl of Tancarville in Normandy; as eighth, his son Richard Grey; as ninth, and not as the "first Baron Grey of Powis," John, whose summons to parliament 22 Edw. IV. is upon record. So that, including the son and grandson of the last-named, there were altogether eleven Barons Powys, besides the Tiptofts, who also shared in the title, as we shall presently show.

The difficulty which the peerage lawyers have entertained in admitting the existence of the Barony of Powys between 1422 and 1482, has consisted (as we have previously intimated,) in the absence of that proof of Summons which they deem one of the requisites towards the establishment of a peerage. But although that technical proof is deficient until the 22d Edw. IV. in regard to the supposed Barony of "Grey of Powis," there are the following proofs (among many others more or less cogent that could doubtless be collected, and some of which have been already noticed,) that both Charletons and Greys were actually Lords Powys:—

I. In 14 Edw. II. the King directed a writ to John de Cherleton as "dominus de Powis."

In 16 Edw. II. he was one of the manucaptors of Galfridus de Balfour as "Johannes dominus de Powis."

A charter to the burgesses *de Pola* (Welshpool) dated 17 Edw. II. is granted by "dominus Johannes de Charleton dominus Powys."

In the same year a letter is addressed to him as "Seign' de Powys."

II. His son is termed "Johannes de Charleton dominus de Powys" in several documents of the 28th and 29th Edw. III. (Rymer's *Fœdera*, v. 833, *et seq.*)

III. Of John the third, as being actually summoned as "Johanni de Cherleton de Powys," there is no doubt that he was a Baron of Parliament; but Nicolas maintains that "de Powys" is merely descriptive and not a title. His seal however supplies the title *dominus*: Sigillum Joh'is de Cherleton *dom' Powisie*.

IV. John the fourth is simply designated "Le Sire de Powys" in the Proceedings of the Privy Council, 1400; and in the next

year Henry Lord Percy (Hotspur) names him in the same way when informing the Privy Council of a skirmish with Owen Glendower. And so again in a notice of his death in the same record.

On another occasion, it is true, he is mentioned as "le sire de Charleton," and Richard Earl of Arundel, whose daughter the lady Alice he married, speaks of him as his "son Charlton" in his own will, so that he was known by either title.

v. A letter written by the next Baron, dated at the castle of la Pole on the 5th Aug. 1403, is signed *Edward Sr de Ch'leton et de Powys*. This might favour the idea that he possessed *two* Baronies; and if it be maintained that he was Lord Cherleton by the writ of Edward II., then it must also be allowed that he was Lord Powys, and that by Tenure. Authorities on the peerage have been very unwilling to admit the existence in modern times of peerages "by Tenure," and they have almost limited that privilege exclusively to the Earldom of Arundel.<sup>1</sup> But Townsend, Windsor Herald, in his additions to Dugdale's Baronage,<sup>2</sup> has stated unequivocally that "Powis was a lordship by tenure," and we have before seen that it was "sub nomine *et tenura* liberi baronagii Angliæ," that Owen ap Griffin (de la Pole) had his principality restored to him by King Edward the First.

In 10 Hen. IV. the Lord of Powys was addressed by the King's writ as "Edwardo de Charleton Domino de Powys," whilst similar writs were addressed "Reginaldo de Grey de Ruthyn," and "Ricardo Grey de Codnore," both of these being also Barons of Parliament, but not addressed by such a title as that of the "Dominus de Powys." It is superfluous to multiply other examples of the style of the last of the Charletons, for he usually appears as *Dominus Powysie*. Let us see then how it was with the Greys.

vi. His grandson, Henry Grey, is termed "Dominus de

<sup>1</sup> In our opinion improperly, for the Earldom "of Arundel" was in fact the Earldom of Sussex, taking its name from the Earl being resident at Arundel. But the doctrine that Arundel is a peerage by tenure is founded upon the decision of the House of Lords, 11 Hen. VI.

<sup>2</sup> *Collectanea Topogr. et Genealogica*, viii. 183.

Powys" when knighted by the Duke of Bedford in 1425 ; and in 1435 he appears in a list of the duke's retinue as " the Lord Powyse, knight." In 1444 he received a royal licence to alienate the priory of Kersey in Suffolk, addressed " Henrico Grey militi, Domino de Powys." In 1448, in granting a charter to the burgesses of Llanfyllin, he styles himself Earl of Tancarville and Lord Powys. In the next year he is described as " the Lord Powys" in the Acts of Privy Council. And so there are abundant proofs of his being really Lord Powys,—shall we say by tenure? as there is no record of his having been summoned to parliament.

VII. His son Richard is not better supported in respect to a summons, but Nicolas himself admits<sup>1</sup> that there is strong evidence (Rot. Parl. v. 283) that he actually sat as a Baron of the realm in 1455, when the lords swore solemn fealty to King Henry VI. Again, the name of " Dominus de Powes " occurs, between those of the Lords Lovell and Stourton, as having been present in parliament Saturday the 12th December 1461.

In 1455 a petition was presented to parliament by John Earl of Worcester and Richard Lord Powys, and other co-heirs of Edward Earl of Kent: where the recognition of Richard Grey as Lord Powys is distinct: and he was named in the same way among the Yorkists condemned to forfeit their estates at the parliament held at Coventry in 1459. He is mentioned only as the Lord Powes in several historical occurrences of the same period.

VIII. It results, therefore, that it is merely the extreme of legal pedantry to maintain that John Grey, the son and successor of Richard, was not a Baron until he was summoned to parliament by writ in 1482. In fact, so long before as 1468, this very Baron had been designated as Lord Powys in the will of his father-in-law, William Earl of Pembroke—" I will that Maud my daughter shall be married to the Lord Henry of Richmond [afterwards King Henry the Seventh]; *Anne to Lord Powys*; and Jane to Edmund Malafont."

<sup>1</sup> Synopsis of the Peerage, pp. 123, 284. Nicolas, however, does not advert to the circumstance that the Lord Powes was then under age, having been only fourteen at his father's death in 1450.

It is needless to pursue this point further, to show that the two subsequent Barons were usually called Lord Powes, and not Lord Grey of Powes: but such will be found the case in following Mr. Morris Jones's details of their biography.

On a review of all that we have adduced we think it must be allowed that the Barony of Powys existed from the reign of Edward the First until the death of Edward Grey in 1551. It was so far a territorial dignity that when the castle and lands of Powis had become the property of the Herberts, the title was more appropriately assigned to them than to any co-heir of the elder line. It may doubtless be classed with the barony of Abergavenny, with which Sir Harris Nicolas compared it, as one that admittedly invested its possessor with the rank of a baron by tenure—not, however, a mere titular baron, like the Baron of Burford, but one entitled to his seat in parliament.

It remains only that we should notice the bifurcation of this title on the death of Edward de Charleton in 1422. He left two daughters,—Joan the wife of Sir John Grey, and Joyce the wife of Sir John Tiptoft. Mr. Morris Jones has devoted a chapter, pp. 96—103, to “THE LORDS TIPTOFT AND POWYS.” Sir John Tiptoft was summoned to parliament from 1426 to 1441,—as Dugdale<sup>1</sup> thought, because he had married the coheir of Powys; and though the writ was addressed “Johanni Tiptoft chev<sup>r</sup>” only, it is certain that he also bore the title of Powys, concurrently with his wife's nephew Henry Grey. In 6 Hen. VI. he appears under his own hand signing “John Lord Tiptot an off Powys, sthuard off the King's howse;” and in 19 Hen. VI. in a convention with the archbishop of Cologne, he is styled “Johannes dominus de Tiptot et de Powes, Baro, consiliarius noster.”<sup>2</sup>

His son John, afterwards the Earl of Worcester, distinguished alike as a statesman and a scholar, confirmed as Lord of Powys the charters of his ancestors to the burgesses of Llanidloes; and in his patent of creation to the Earldom of Worcester he is entitled “Lord Typtoft and Powys.” He fell a sacrifice, as is well known, to the temporary triumph of the Lancastrian party in

<sup>1</sup> Baronage, ii. 40.

<sup>2</sup> Rymer, x. 834. Mr. Morris Jones, p. 98, (*M. C.* 356) has attributed this to his son.

1470; but it is believed that no attainder had passed upon him before the Yorkists recovered their supremacy.<sup>1</sup> By an inquisition taken after his death he was found to have died seized of the moiety of the castle of Pole called "the Utter-ward," within the lordship of Powys, together with several manors and estates, which may be regarded as justifying the continuance of the title in his person. The partition of the Powys estates between Joyce Lady Tiptoft and Sir Henry Grey took place in 20 Hen. VI., and is recorded in an Inquisition.

The Earl of Worcester left an infant son, who is said to have died in 1485, at the early age of eighteen, and of whom scarcely anything is known, although a monument at Ely, with effigies of a man and two wives, has been very improbably assigned to him.

On his death this moiety of the Barony of Powys, if we regard it in the nature of a barony by writ, would be divided between his three aunts—Philippa, wife of Thomas Lord Roos; Joane, wife of Sir Edmund Ingoldesthorpe; and Joyce, wife of Edmund Sutton, son and heir apparent of John Lord Dudley, K.G. The present representatives of all these are exceedingly numerous. Those of the first are the same as those of the Barony of Roos, which may be traced in the ordinary peerages. Those of the second branch away from the five daughters and co-heiresses of John Neville, Marquess of Montagu. Those of the third are identical with the co-heirs of the Barony of Dudley, which have

<sup>1</sup> It was remarked in Mr. Kynaston's Case in 1731, that "By the attainder of John Tiptoft, Earl of Worcester, 10 Edw. IV. 1470, the Barony of Powis was *no longer in abeyance*, the sole right then being in the said John Grey, who was ten years old, and was *accordingly* summoned to Parliament the first year after he came of age, viz. 22 Edw. IV. 1482, by the title of *Johannes Grey de Powes*." Nicolas remarked upon this (*Synopsis of the Peerage*, 1825, p. 121; *Historic Peerage*, 1857, p. 102), that this could not have been the fact, for "such attainder would have vested that moiety in the Crown," not have terminated an abeyance. But Nicolas finally arrived at the conclusion—contrary to the statements of Dugdale and other old authors, that, although the Earl of Worcester was hastily beheaded in 1470, he was not attainted, as no record either of his attainder or its reversal is to be found in the Rolls of Parliament. Besides, had the Earl of Worcester been attainted, his son as surely was restored, and the abeyance would have been renewed, as remarked by Francis Towns- end, Windsor, in his additions to Dugdale's Baronage (*Collectanea Topogr. et Geneal.* viii. 186), where also he adds the actual truth, "In fact both Tiptoft and Grey used the title of Lord Powis at the same time."

been particularly set forth by our correspondent Mr. Grazebrook in our last volume.<sup>1</sup>

Mr. M. Jones describes with similar completeness the present co-heirs of Kynaston, viz.: Miss Smythe Pemberton, the Rev. George Aug. Salusbury, the children (if any) of the Rev. Charles Leicester, LL.B., Mr. Cholmondeley of Over Leigh, the Rev. Frederick Leicester, M.A., and Mr. Wm. Lacon Childe of Kinlet.

Thus "the coheirship to this ancient and famous Barony (in the words of Mr. Jones) is split up into very many coparcenary claims, represented by persons in all ranks of society; and it seems beyond the bounds of probability that such widely spread claims should ever again centre in one person."

We view the case thus. As a territorial dignity, or Barony by Tenure, the title is actually and virtually enjoyed by the present Lord of Powis Castle; to whom and his descendants in the male line the title has been confirmed after modern usage by *Patent*, as in earlier times it was confirmed to the Charletons and Greys by the *Writs* which according to the practice of that day summoned them to Parliament.

Any claim in this case founded upon such inheritance as attaches to Baronies by Writ has now become purely visionary. It cannot reasonably be admitted that the summons to John Grey so late as the 22nd Edw. IV., after the dignity had been actually vested in his grandfather, father, and himself for more than sixty years, could originate a new peerage, though so acute an inquirer as Sir Harris Nicolas adopted that idea; and if a claim should again be founded on the summons to

<sup>1</sup> *Herald and Genealogist*, v. 212—223. The title of Powes was assumed by Edward Lord Dudley (the grandson of Edmund), as appears by the epitaph of two of his children (ob. 1501 and 1504) formerly in Himley church, in which he is designated as "Domini Edwardi Sutton militis, Domini Dudley et Powes." (Symonds's Diary, Camden Soc. 1859, p. 168.) The accompanying arms are those of Somerie and Malpas or Sutton quarterly, impaling Powys and Tiptoft quartered. Lord Dudley had succeeded to the outer ward of Pool castle, which had belonged to the Lord Tiptoft, as stated in p. 116. This is mentioned by Leland, who says, "*Castel Gough*, in Englisch *Redde Castel*, standith on a rokke of darke redde-colorid stone. It hath ii. seperatid wardes, whereof the one was the Lord Duddelay's. Now both belong to the Lord Powys." *Itinerary*, v. 80. The quarterings above described occurred also in the windows of Northfield church, co. Worc., the two former quartered, and the two latter quartered, counter-quartered. *Nash*, ii. 190.

Edward de Cherleton in 7 Edw. II., as was done by the Kynastons, then the door is opened to the coheirs of Tiptoft, as suggested by Sir John Mitford in 1800, and it would be impossible for any party to establish a right to more than a very minute share of the representation—though still the doctrine remains that it is within the prerogative of the Crown to determine the Abeyance of a peerage in favour of any coheir. But the truth is that the Barony of Powys was one of those very ancient territorial dignities, like Arundel, Berkeley, Bergavenny, and others that may probably be historically established, which were in existence at a period even anterior to all records of summons to Parliament.

JOHN GOUGH NICHOLS.

*Edward Lord Powys's natural children* (see p. 103) were, according to Harl. MS. 1421, fo. 56 B, one son, Edward; and four daughters,—Jane, married to William Booth of Dunham, co. Chester; Anne, married to Christopher Haywood; Joyce, married to Humphrey Freeman; and Cecily, married to Humphrey Freer of Charlton and the Blankets, co. Worc. (see the pedigree of Freer in our vol. v. p. 429).

Edward Grey (the bastard) married Cresagon, daughter of John Giffard of Chillington, co. Stafford; and had five sons, Edward, Walter, Andrew, Thomas, and Devereux; and four daughters,—Jane, married first to William Sheldon and afterwards to William Leighton of Alberbury (see the pedigree in *Stemmata Botevilliana*, p. 184), Lettice, Cecily, and Cresagon.

Edward Grey is styled “of Buildwas” in the Leighton pedigree.

We must add a note upon the Arms of Powys and Charleton, for we find several errors regarding both.

The banner of Powys was a *red* lion on a golden field; but Mr. Jones, pp. 18, 20, 35, (*M. C.* pp. 276, 278, 293) has been misled to suppose the lion *black*. We find ample authority for the red lion, as follows:—

*Griffid ap Wenunwyn.* Or, a lion rampant gules. (Roll called St. George's, in Rolls edited by Walford and Perceval, 1864, 4to. p. 48.)

*Jevan ap Grifit.* Or, a lion rampant gules. (Roll at Society of Antiquaries. *Ibid.* p. 28.)

*Ly Sire de la Pole*, de or a un lioun de goules. (Roll of Edw. II. among “les armes abatues de grands Seignors,” edit. Nicolas, 1828, p. 91.)

Le Comte d'Arundell port de gules un lyon rampant d'or.

*Monsire de la Poole* port de le revers. (Roll temp. Edw. III. edit. Nicolas, 1829, p. 6.)

*Le Sr. de Charleton.* Or, a lion rampant gules. (Roll temp. Ric. II. edit. Willement, 1834, p. 8.)

In the fine contemporary glass at St. Mary's church, Shrewsbury, *John de Charlton the first*, who married the Welsh heiress, is represented with his two sons; he wears on his surcoat the arms of Powys, Or, a lion rampant gules; his elder son the same with a label of three points vert, each charged with an eaglet or; and his younger son Owen (of Lydham) the lion with a lozenge vert on his shoulder, charged with an eaglet or. The father carries a banner bearing a crown—qu. the princely coronet of Mathraval? Both the sons carry the Powys banner of a lion.<sup>1</sup>

*Le Sire de Powes, Edward*, on his garter-plate at Windsor bears the lion rampant, and for crest two lion's jambs gules, disposed like the horns of a stag-beetle, three fleurs de lis argent issuing from the back of each.

The curious differences in the window at Shrewsbury were derived from the previous bearing of the house of Charleton, which occurs thus among the Bannerets in the Roll of Edward II. (edit. Nicolas, p. 13)—

*Sire Johan de Charlestone*, de argent a un cheveron de vert e tres egles de or.

*i. e.* Argent, on a chevron vert three eaglets or: for, though the same wording in many other instances is found to mean an ordinary *between* three charges, yet in this case the eaglets must have been *on* the chevron, otherwise there would have been metal upon metal. And that they were so placed is testified also by a seal of Sir John de Charleton, attached to a power of attorney dated 1309, which is described by Mr. Eyton, *History of Shropshire*, ii. 324.

But this authority for the arms of "Charlestone"—a mere error for Charleton, has given rise to some half-dozen different coats, or

<sup>1</sup> Two plates in the *History of Shrewsbury*, by Owen and Blakeway, 4to. 1825, ii. 316, represent the figures of the father and the younger son. It is supposed that the glass was originally in the church of the Grey Friars in Shrewsbury: for there Sir John de Charlton and his "*compaignon*" or consort the Welsh heiress Hawise were buried. (Leland, *Itin.* vi. 14.) When seen by Dugdale in 1663 it was in the parish church of St. Chad; from whence it was subsequently removed to St. Mary's. The subject is the stock of Jesse: accompanied with figures of the three Charletons and their wives: kneeling to a central figure of the blessed Virgin. The former were in chain mail and surcoats, kneeling on the left knee. Another portion of this window, the figure of Jesse, was published in fac-simile in the last century by William Fowler of Winterton.

varying interpretations of coats, for the names of Charleston, Charlston, and Charlton, as will be seen in Burke's *General Armory*.

The Charltons of Apley castle, near Wellington in Shropshire, (anciently Chorlton) descended from the marriage of Alan Charlton and Elena la Zouche mentioned in p. iii. assumed also the Red Lion of their cousins, though they had no legitimate claim to it as descendants from the Lords of Powys, but it was originally differenced with a bend over all. We have indeed met no example of their coat at a very early date.<sup>1</sup> On the tomb at Wellington<sup>2</sup> of William Chorlton, esq. who died in 1544, was the lion of Powys quartering Zouche, but the former debriused by a bend argent over all. (Church notes appended to the Visitation of Shropshire 1663, in Coll. Arm.) In the Visitation of Shropshire, 1584, (Coll. Arm. C. 15, fol. 125,) is a shield of Chorlton, of Apley and Wellington; where the lion is double-tailed, and the bend charged with a mullet (no tinctures). (An early pen has scratched this across, but it is copied in another volume of Shropshire pedigrees, D 10.) On the monument at Bottesford, co. Leic. of John fourth Earl of Rutland, (ob. 1587,) who married Elizabeth, daughter of Francis Charleton, esq. of Apley, is an impalement of Charleton (the lion undifferenced) and Zouche quartered. (Nichols, Hist. of Leic. ii. 101.) In the Visitation of Shropshire 1623, Charlton of Apley Castle bears the same, quartered with Gules, ten bezants, for *Zouche*, and Azure, on a mount vert a lion statant guardant or, for *Fitz-Aer*;<sup>3</sup> Crest, on a wreath, a leopard's head gules. (Orig. in Coll. Arm. C. 20, p. 254.) In the Visitation of 1663 (C. 35, fol. 62) their coat is just the same; whilst Charleton of Lady Hatton, a junior line from Apley, has also the Powys lion, differenced only with a canton gules. (ibid. fol. 54.)

Early in the last century there was a *fault* in the direct descent of the Charltons of Apley Castle; and in the year 1779 St. John Charlton, esq. of Apley Castle, eldest son and heir of St. John Charlton, esq. by Frances his wife, daughter and sole heir of . . . Tampsett, esq. of Ashford in Kent, took a new grant of arms, in which the Powys lion was retained, with the arms of Zouche and Fitz-Aer quartered in a canton sinister; and for his maternal descent he had at the same time this quartering assigned: Per chevron wavy ermine and sable, three eagles displayed or. Crest, out of a Eastern coronet, a leopard's head issuant gules.

<sup>1</sup> The male line of this branch had in fact failed early in the fifteenth century, when the heiress was married to William Knightley, of the family of Gnosall in Staffordshire, who assumed the name of Charlton or Chorlton. (Eyton, Hist. of Shropshire, vi. 319.)

<sup>2</sup> Removed, about 1821, to the Abbey church, Shrewsbury.

<sup>3</sup> The marriage with Fitz-Aer was in the next generation to that with Zouche.

The Charltons of Ludford, co. Hereford, were a branch of those of Apley. Sir Job Charlton of Ludlow (a justice of the Common Pleas, *temp.* Charles II.) was created a Baronet in 1686, a title which lasted until 1784; when the sister and heiress of the last Baronet was married to Edmund Lechmere, esq. of Hanley Castle. His son Nicholas Lechmere (having assumed the additional name of Charlton in 1784), bore the Powys lion (undifferenced)—by authority of the heralds we may assume, but still unduly, quartered with Lechmere. (Burke's *Landed Gentry*, edit. 1843, p. 208.) Ludford has now gone to another branch of Lechmere, by whom the name of Charlton has not been taken: see the current edition of Burke's work, tit. Lechmere.

But even the Charltons of Northumberland, though a totally distinct race, chose to assume the Powys lion, for we find "CHARLTON, Or, a lion rampant gules, langued azure," in Constable's Roll, attributed to the year 1558; appended to Tonge's Visitation (Surtees Soc. 1862), p. xiii. See also Charlton of Hesleyside, in Burke's *Extinct Baronetages*, p. 107, and the same head in Burke's *Landed Gentry*, for the family is still subsisting in the male line.

In p. 18 of his memoir, Mr. Morris Jones observes—

In the Calais roll of Edward III. appears "Charlton, Or, a lion ramp. sa." from which I infer that John de Cherleton was present at the taking of Calais, which surrendered on 29th August 1347, after a siege of eleven months, and that he then bore the ancient armorial ensigns of the Princes of Powys.

We believe this is altogether a mistake, arising from an error of Mr. Boutell, who in his *Heraldry*, edit. 1863, has quoted this bearing from the Roll of Edward III., and in his edition of 1864, p. 460, as from the Roll of Richard II.; but in both those authorities it appears as we have already quoted, and not as a *sable* lion.

Thomas de Charleton the bishop of Hereford is said to have borne the Powys lion differenced with a silver mitre on his shoulder.<sup>1</sup>

Lewis de Charleton, bishop of Hereford 1361—1369, bore the lion on a field semée of crosslets fitchy, as shown on his monument (engraved in Gough, *Sepulchral Monuments*, i. pl. xlvii., and drawn by Dingley, *History from Marble*, p. cxxv.), and as still remaining on the White Cross at Hereford. Bedford, *Blazon of Episcopacy*, p. 52, says that he quartered in the second quarter the lion alone, but that is very unlikely. This Lewis was, however, evidently a member of the Powys family, for there are also on his monument two shields of the lion alone.

<sup>1</sup> Bedford's *Blazon of Episcopacy*, 8vo. 1858, from MS. Addit. 12,443, Brit. Mus.

The junior line of the Welsh race of Powys, or de la Pole, seated at Mowddwy, (as noticed in the note at p. 99,) bore the red lion within a bordure engrailed or indented sable.<sup>1</sup>

Mr. Eyton, *History of Shropshire*, vi. 62, has published (from the muniments of Mr. Corbett of Longnor) two seals of Griffin de la Pole, otherwise called Gruffith Vachan, who was a younger son of Griffin ap Gwenunwen, Prince of Powys, and uncle of the heiress Hawise. Both bear the legend *s' GRIFFINI FIL' GRIFFINI DE POWES*. One, used in 1310 and 1321, bears a shield of the rampant lion undifferenced, but above the shield an annulet, which Mr. Eyton suggests was inserted as a "mark of cadency." But on the other, used in 1312, the lion is within a bordure deeply engrailed. The Powys lion with the same engrailed bordure appears on the seal of Sir John Burgh, heir of this branch, appended to a grant to the priory of Alberbury in 1461.<sup>2</sup>

Impressions of the seal of Henry Grey, Earl of Tancarville, the matrix of which descended to Mr. Kynaston Powell, can be obtained from Mr. R. Ready, of the British Museum. It is circular, of 2 inches diameter; and is probably of French workmanship, not of the highest class of art, but curious for its armorial atchievement, which consists of a shield couché, supporters, and a crest set on a wreath and helmet with mantling. The shield is quarterly, each quarter charged with a lion rampant, intended for Powys and Grey quartered; for the Greys of Northumberland bore, *Gules, a lion rampant within a bordure engrailed argent*,<sup>3</sup> but the bordure is omitted on the seal. In pretence is an escucheon argent, evidently intended for Tancarville, the usual arms of that Earldom being *Gules, an escucheon within an orle of cinquefoils argent*. The dexter supporter is a dragon—for Powys; the sinister a hind or doe—for Grey? The crest a ram's head, which (as well as the familiar scaling-ladder) is upon record for a crest of Grey.<sup>4</sup> The legend, on account of its length, is very compressed, and

<sup>1</sup> Monument formerly in St. Chad's, Shrewsbury. Owen and Blakeway, ii. 234.

<sup>2</sup> *Montgomeryshire Collections*, i. 96. The same Sir John Burgh had a seal for his possessions in Normandy, thus inscribed, *S. J. Burgh, Sr. d' olonde p's le chastel de Chirbourgh*, as mentioned by Mr. Bridgeman in the same page, but without describing the arms or device thereon.

<sup>3</sup> Monsire de Mowbray port de gules a une lyon rampant d'argent.

Monsire Thomas de Grey port les armes de Mowbray a une border cersele d'or. (Roll of Edward III. edit. Nicolas, pp. 6, 10.)

Earl Grey now bears the bordure (like the lion) argent.

<sup>4</sup> Burke's General Armory.

the letters sometimes coupled together, to bring it into the circumference of the seal. It is to the same import as stated in Mr. Kynaston Powell's Peerage Case (see before, page 102), though it is not there given literally. The true reading is as follows:—

*S. henri gray conte de tancarville* fi [i.e. *sieur*] *de powys t de tilly gr'nd cha'b'lain h'editair' de norma'd'*.

The office of hereditary chamberlain of Normandy had been attached to the lordship of Tancarville from very early times, for Ralph (Fitz-Girolde) de Tancarville was chamberlain to William the Conqueror.

In 1660 Francis Sandford, Rouge dragon, saw at Shiffnal the arms of Grey Lord Powes thus marshalled quarterly: Gules, a lion rampant within a bordure engrailed argent, *Grey*; 2. Or, a lion rampant gules, *Powys*; 3. Or, a lion's jamb erased gules ( ); 4. Gules, a man's leg coupé argent ( ). Also, Argent, a chevron gules between three buckles sable, for *Morton*; impaling, 1 and 4, Or, a lion rampant gules; 2 and 3, Gules, ten bezants 4, 3, 2, 1. (Church-notes attached to Dugdale's Visitation of Shropshire, in Coll. Arm.)

Vincent, when he visited the church of St. Mary at Shrewsbury, in 1584, found there the arms of Kynaston, with quarterings for Grey, as thus described: 1 and 4, Ermine, a chevron gules, *Kynaston*; 2 and 3, Quarterly, i. and iv. Gules, a lion rampant within a bordure engrailed argent, *Grey*; ii. and iii. Or, a lion rampant gules, *Powys*; surmounted by an "escoccheon of pretence A, a border B., charged with escallops of the field," which is probably a misapprehension for *Tancarville*, Gules, an escoccheon within an orle of cinquefoils argent. Another coat, at the same place, which Vincent termed "Cobham and Tochet<sup>1</sup> quartered," had evidently been reversed (as so frequently has occurred when glass has been replaced by ignorant workmen), and was (properly) as follows: 1 and 4, Ermine, a chevron gules, *Kynaston*; 2 and 3, Gules, on a chevron or three estoiles sable, *Cobham*. Sir Roger Kynaston married for his second wife Elizabeth daughter of Reginald Lord Cobham of Sterborough (and widow of John Lord Strange of Knockyn): so that these two shields represented, *by quartering* not by impalement, his two marriages, 1. to Elizabeth Grey; 2. to Eliza-

<sup>1</sup> Vincent mistook this for "Tochet," the arms of Touchet being exactly the same as Kynaston. This is said to have originated from Roger Kynaston of Hordley having slain James Touchet, Lord Audley, at the battle of Blore Heath, in 1459, and having thereupon assumed the arms of his vanquished enemy. But this is a doubtful and perhaps legendary story. See further in an article on *Arms of Conquest*, in a subsequent paper of the present volume.

beth Cobham. He was a resident at Shrewsbury, in St. Mary's parish, in what is now called the Council House. (Owen and Blakeway, ii. 538.)

In more recent times, the Kynastons have also borne a rampant lion, (quartered with the chevron coat above-described,) but their lion has been *black*, on a silver field. It has been claimed as of inheritance from their Welsh ancestor (in the male line) Meredith ap Bleddyn, one of the Princes of Powys. But of this more hereafter.

The kindness of the Hon. and Rev. G. T. O. Bridgeman enables us to append the Seal of Hawise lady of Keveoloc, who became the widow of Griffin ap Wenunwen, lord of Cyveilloc, in 1286, and died about 1310. She was a daughter of John le Strange of Ness and Cheswardine, as already stated in p. 97, and she is represented holding in her right hand a shield of the lion rampant of Powis, and in her left another of the two lions passant of her father's family. The silver matrix of this seal was found at Oswestry shortly before 1850 (see *Notes and Queries*, IV. iv. 343).



## FAMILY OF LOFFROY, OR LEFROY.

Notes and Documents relating to the Family of Loffroy, of Cambray prior to 1587, of Canterbury 1587-1779, now chiefly represented by the families of Lefroy of Carriglass, co. Longford, Ireland, and of Jtchel, Hants; with branches in Australia and Canada. Being a contribution to the History of Foreign Protestant Refugees, by a Cadet.

Woolwich: Printed at the press of the Royal Artillery Institution *For Private Circulation*. M.DCCC.LXVIII. Foolscap folio, pp. lvi. 233.

In one of our earliest numbers<sup>1</sup> we gave an account of some of the principal families of Protestant refugees who settled in England during the seventeenth century; suggested by Lists edited by Mr. W. Durrant Cooper, F.S.A. for the Camden Society in 1862. In one of those lists, being a catalogue of the Walloon congregation at Canterbury temp. James I., is found the name of

Esaje Loffroy.

He was the progenitor of the Lefroys specified in the title-page above copied, by the marriage which is thus recorded:—

1611. Feb. 24. Furent Mariés dans l'eglize Wallon de Canterbury, Isaie Loffroy filz de feu Antoine, natif de Cambray, et Marie le Sage fille de Pierre, natif de Canterbury. (Register now preserved in the General Registry Office, Somerset House.)

Antoine, the father of Isaie, had come to England from Cambray, probably in the year 1587. The family had been long inhabitants of Picardy. There was a saint named Leufriidus, or Leufroi, a native of Evreux, who lived early in the eighth century. The Lord de Louvroy, Governor of Ardres, is mentioned by Monstrelet as having led the French garrisons from the frontiers of the Boulonois to the field of Agincourt, and he was slain in that fatal battle.

For five generations the family remained at Canterbury, pursuing the occupation they had perhaps brought with them of silk dyers, and they continued to marry wives of their own community, until in the year 1702 Thomas Lefroy obtained the hand of Phœbe Thomson, who was a daughter of Thomas Thomson, esq. of Chartham, in Kent (descended from the family of Thomson of Kentfield, in the parish of Petham,) by Phœbe, daughter of Anthony Hammond, esq. of St. Alban's, in the parish of Nonnington, in the same county. This alliance made the family subsequently akin to the Marshams,

<sup>1</sup> Vol. i. pp. 159—174.

the St. Johns, the Egerton-Brydges, and other families of distinction. A pedigree of Thomson is given at p. 28 of the volume before us, and one of Hammond at p. 29. Through the grandmother of Phœbe Thomson, who was Anne Digges, daughter of Sir Dudley Digges, Master of the Rolls, and through the Kempes of Ollantigh, the Lefroys became entitled to a place in the *Stemmata Chicheleana*, and the Rev. Isaac Peter George Lefroy, a grandson of the marriage, was elected a Fellow of All Souls', as founder's kin, in the year 1768.

Anthony Lefroy (his father) inherited (as we have seen already) his baptismal name from his great-grandfather Anthony Hammond, who had derived it from his grandfather Sir Anthony Aucher, his father Sir William Hammond (ob. 1615) having married Elizabeth Aucher, daughter of Sir Anthony and his wife Margaret Sandys, daughter of Edwin archbishop of York. The late Sir Egerton Brydges, celebrated alike as a poet and a biographer, was proud of his ancestors the Hammonds, for among them were two poets, James and William, and George Sandys, another well-known poet, was brother to Margaret.

Anthony Lefroy was the first to leave Canterbury for a wider sphere. Having been apprenticed by his father to Mr. Mark Weyland, a merchant in London, he went out to Leghorn in 1728, at the age of twenty-five, and obtained a share (it is believed) in the house of Langlois; a daughter of which he (ten years after) married. Some curious letters addressed to him are introduced, two of them written in 1728 and 1729 by his cousin Oliver St. John, and others by his cousin Elizabeth or Betsy Hammond, who went to Florence to join her cousin Anne Grisoni,<sup>1</sup> and spent the rest of her life in Italy. This lady's letters are full of genealogical particulars: and indeed it is remarkable how much attention to family history has shewn itself in many of those commemorated in this volume.

The portrait of Anthony Lefroy, (now preserved at Itchel,) was painted at Leghorn in the year 1736 by Marc Tuscher, a German, as appears by this inscription at its back—

ANTONIO LEFROYI

Canterburiensi, Bonarum Artium Amatori, Imaginem a se depictam  
D. D. Marcus Tuscher Noricus, Liburni, CIOIOCCCXXVI.

Marc Tuscher was not only a painter, but also a poet; and when Mr.

<sup>1</sup> Wife of Joseph Grisoni, a painter whose portrait by himself is in the gallery at Florence. He was in England from 1715 to 1728; and died in 1769. See Walpole, *Anecdotes of Painting*, iv. 39.

Lefroy was married, on the 18th Feb. 1738, to Elizabeth Langlois, the painter wrote a *Epitalamio*, in Italian, on that happy event, in the title-page of which he styles himself as "Marco Tuscher, Academico Etrusco." It consists of 208 lines, and is preserved at Itchel, having an emblematic frontispiece, and this impression of arms on its binding.

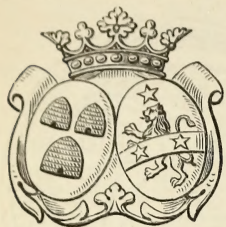
The family of Langlois was of Languedoc, and descended from Martin Langlois, sometime Mayor of Paris (1593), afterwards President of Accounts and Councillor of State. Pierre, the father of Mrs. Lefroy, had been a Cornet of Dragoons in 1692, and his father was a Captain in the regiment of Anjou. Elizabeth (Mrs. Lefroy) had four brothers, who all lived to be old men, but all died unmarried, and the fortunes of three of them ultimately descended to her children and grandchildren. The fourth brother, Peter, rose to be a Feld-zeugmeister in the Austrian service, the rank next to Field Marshal, Colonel Proprietor of a regiment bearing his name, Commander in Chief of Anterior Austria, General Governor of Antwerp, and Commandant of Trieste, where he died in 1789.

Benjamin Langlois, another of the brothers, became secretary of embassy to Lord Viscount Stormont at Vienna in 1763, Storekeeper of the Ordnance in 1772, and Under-Secretary of State to Lord Stormont in 1789. He was also M.P. for St. German's from 1768 to 1779. He died in 1802, aged 74, and was buried at Ashe, in Hampshire. The arms borne by this family were those of Langlois in Languedoc: D'azur au chevron d'or accompagné de trois croissants d'argent 2 en chef 1 en point: au chef consû de guelles chargé de 3 molettes d'argent (as certified by J. L. Chevillard, Genealogiste du Roy, in 1696).

The mother of Mrs. Lefroy was a daughter of Major-General Isaac de Monceau de la Melonière, who commanded the regiment of Anjou, but, being a Protestant, took refuge in Holland upon the revocation of the Edict of Nantes. He afterwards commanded three regiments of French infantry in the pay of England. He left two sons; one of whom married in France, and inherited from an uncle the family estates in Dauphiné; the other, Colonel Anthony de la Melonière, be-



came Groom of the Chamber to H.R.H. the Duke of Cumberland, and died in 1761-2. Besides Julie (Madame Langlois) he had also another daughter, Susan, married to S(tephen?) Ravaud, whose daughter, Margaret Mary, was a legatee (1788) of Mrs. Delany, in whose correspondence for ten years before she is frequently mentioned. Mrs. Ravaud died at Bath in 1800. A pedigree of her family is given at p. 210. The cut, derived from the seal attached to Pierre Langlois' marriage settlements, represents the arms of her grandfather Isaac de Monceau de la Melonière and her grandmother Anne Andée.



Returning to Anthony Lefroy, we find that he not only devoted himself with great energy to business, but also to the collection of objects of antiquity and art. In 1753 he was elected a member of the Etrusca Academia. His traffic with the regions of Asia enabled him to form a magnificent collection of coins, which was disposed of by sale in London in 1763. It is believed that the principal part of his museum of antiquities passed into the hands of Mr. Anson of Shuckborough, and was dispersed with the rest of the contents of that mansion (then the property of the Earl of Lichfield) in 1842. His pictures were sold by Langford in Covent Garden in 1763. The account of these collections forms a long and interesting episode (18 pages) of the book before us.

Their sale was occasioned by a reverse in his mercantile transactions. Having taken into partnership a Frenchman, M. Charron, the house became bankrupt, and Mr. Lefroy lost a fortune of 30,000*l*. The Frenchman committed suicide in 1772. Mr. Lefroy had more of British fortitude: "*Multa passus et gravia, æquam semper servans mentem,*" (as testified by the writer of his epitaph, Dr. Gentili,) he remained at Leghorn, and died there in 1779, in his 76th year, leaving his widow surviving, and two sons, Anthony Peter, and Isaac Peter George, to the latter of whom (by will made in 1775) he left "all my books, statues, medals, and natural stone with an impression of a fish." So that he had not parted with the whole of his treasures, and some of them, we find, are still preserved at Itchel. The widow came to England, died in London in 1782, and was buried at Basingstoke. The two sons became the ancestors of the several branches now flourishing in Ireland and in England.

The elder brother, Anthony, was for nearly thirty years an officer

in the army of King George III. He sold his commission of Lieut.-Colonel 9th Light Dragoons in 1791, and died at Limerick in 1819. His eldest son was the late Chief Justice of Ireland, the Rt. Hon. Thomas Lefroy, living when the book before us was printed, and since deceased on the 4th May, 1869, at the venerable age of ninety-two.<sup>1</sup> His features and biography are extant in Ryall's *Portraits and Memoirs of Conservative Statesmen*. His eldest son, Anthony, is now M.P. for the University of Dublin, and the second, Thomas, a Queen's Counsel in Ireland. The junior branches are very numerous.

The younger brother, the Rev. Isaac Peter George Lefroy, became a Fellow of All Souls' (as we have already mentioned), afterwards Rector of Compton in Surrey, and Rector of Ashe in Hampshire. He married Anne Brydges, a sister of Sir Samuel Egerton Brydges, who wrote a long character of her in the *Gentleman's Magazine* of 1809. Their posterity is also numerous. The eldest son, the Rev. J. H. George Lefroy, was also Rector of Ashe, and died in 1823: having had issue four sons, of whom the third is the "cadet" who has produced this very interesting work, viz. Major-General John Henry Lefroy, R.Art., F.R.S. For his second marriage to the widow of Colonel Armine Mountain, C.B. he impales the arms of Dundas, she having been a daughter of Lieut.-Colonel Thomas Dundas, of Fingask. (See the engraving in p. 131.)

Very considerable research has been applied by more than one member of the family to the origin of the arms of Lefroy. So far as can be ascertained, the old arms of Loffroy were *Sinople* (or *Vert*), *frettée d'argent*. Miss Fanny Caroline Lefroy (a cousin of our author) has investigated this bearing with all the science of an experienced herald. Having looked through every page of Carpentier's *Histoire de Cambray*, she has found that out of more than 4,000 bearings, belonging to that province, only 33 were fretty, and upon a more minute search she ascertained that 30 out of the 33 were those of Puis-nés or younger sons of a family extinct in Carpentier's day, named Sechelles. Miss Lefroy proceeds to argue, "firstly, that the House of Sechelles was the one and only source of the *fretty* in Cambray and the Cambresis; and, secondly, that we ourselves are descended from it through one of the younger branches." These thirty families are named, and their arms described, and among them occurs Souastre, bearing *Sinople, fretté d'argent*,

which arms (with the addition of a chief argent charged with a cap of liberty between two wyverns gules,) we ourselves bear to this day, and therefore I believe we are a

<sup>1</sup> See *The Register and Magazine of Biography*, vol. i. p. 468.

younger branch of the house of Soüastre, a family of Artois, which seems in the elder branch to have ended with an heiress who carried the lordship of Soüastre, and some others, into the family of Guines Bonnières, A.D. 1484.

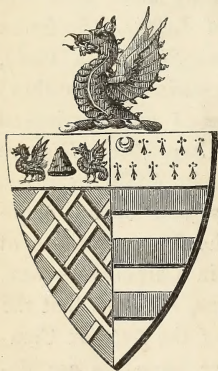
That Carpentier does not mention our name in connection with Soüastre is no disproof of the above statement. For we were gone, and we were Huguenots; and he wrote in the days of Louis XIV. when it was not safe to mention the latter.

In comparison with many others, we cannot boast of the antiquity of our *name*; for our parent house of Soüastre only came into existence in 1312, and disappeared in 1482, a period of 171 years, in the course of which we must have arisen. That the family of Laffroy did then exist is shown by the marriage of a Marie de Laffroy with one of the illustrious house of D'Anneux. If I remember rightly, the date is 1440 or thereabouts. In our native country, therefore, I imagine we existed under our present name only a hundred and sixty or seventy years.

Upon this we will only remark that there seems to be some room for doubt, as to the origin of the name, between the personal name Leufroi (in Latin *Leufrius*, as already mentioned), and the local appellation (as we conclude it is) de Louvroi, borne by the captain commemorated by Monstrelet.

However, having considered the derivation of the *fretty* field, the chief and its charges claim some explanation. In the words of the same writer, or another of her immediate family—

Of the red cap or hood in our arms, and the motto *Mutare Sperno*, the family tradition<sup>1</sup> is, that both were assumed when our ancestor Antoine Loffroy left the Netherlands in the time of the Duke of Alva's persecutions; that the *cap* was intended to represent his adoption of Huguenot principles, and the motto his inflexible adherence to that which he considered the cause of Religion and Liberty. That the cap did not originally form part of the arms is probable from the fact that no cap at all resembling it in shape can be found as a recognised heraldic bearing either in English or in French heraldry.



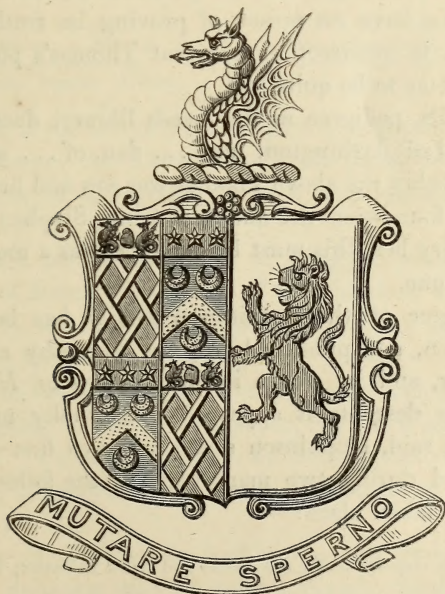
No earlier proof of the arms being borne in England has been discovered than the monument of Thomas Lefroy (ob. 1723) in Petham church, Kent, impaling Thomson, as shewn in this engraving. The same "is at Itchel, a shield  $3\frac{1}{2}$  by 3 inches, painted in oil on canvas,"—probably a funeral hatchment. The demi-wyvern, which appears as crest, occurs in the seal of Lucy Lefroy, to a release executed

<sup>1</sup> General Lefroy, having been unable to trace any such tradition, and taking it to be only an ingenious speculation of modern origin, substitutes the word "belief" in lieu of "tradition," but a document is quoted at p. 11 which supports the other expression. This paper it seems came to light when the book was nearly completed, and, with other corrections, led to a reprint of two or three pages.

at Canterbury in 1743. The will of James Lefroy (1754) is sealed with a demi-wyvern, as is that of his widow Mary, in 1765.

The use of the same arms by both branches of the family carries them back at least to Israel (ob. *ante* 1713) their common ancestor, as there appears to have been an absence of friendly intercourse between them, due to the elder son by the first marriage having been disinherited in favour of the elder son by the second; and it is quite certain that if either branch had then for the first time adopted the present arms, they would not have been adopted by the other. Having thus traced the arms of Israel Leffroy, who was born 1650-1660, we may feel assured that they are those of the first emigrant Antoine, who died about 1610. There is an additional guarantee for this in the fact that the father of Israel, Jacques or James Leffroy, born 1625, survived to 1702, *his* father was born at Cambray, and his authority upon such a point would be conclusive. (Page 1.)

We have, as in duty bound, made it our chief business to trace the genealogical threads of the book before us: but we cannot forbear, in conclusion, to say that it has a more engaging interest in the family correspondence which is freely introduced, and in many portions illustrative of antiquities and art—particularly in the department of numismatics. It is confined to an impression of fifty copies, and its execution is very creditable to the “private press” which has produced it.



## NOTICES OF THE FAMILY OF ARTHINGTON OF ARTHINGTON NEAR LEEDS.

THE Arthingtons of Arthington, one of the now extinct families of the west riding of Yorkshire, had an origin probably contemporary with the Conquest, although for a century after that event no accurate genealogical account of them has been obtained. Their position in the county was never very exalted; but, independently of the event which first gave them notoriety, there is no doubt that they have been of sufficient consideration in the early period to take rank with the neighbouring knightly houses. There is indeed a story that Thomas de Arthington was chamberlain to King John, and this Thomas is said to have been the great-grandfather of Henry de Arthington who was summoned to Parliament in 1336. This story, however, we shall leave as we find. We have no means of proving its truth, nor do we know that it is incorrect, except that Thomas's position in the genealogy seems to be quite lost.

Wilson, MS. pedigree in the Leeds library, does indeed say, "Cyril, Lord of Arthington, mar. . . . dau. of . . . and had issue Peter. Probably the above Thomas was son and heir of Peter of Arthington, founder of the nunnery, temp. Stephen or Hen. II." but at the very best this must be considered as a mere guess, and not a happy one.

The pedigree of the Arthington family has been compiled by Hopkinson, and published first by Thoresby and after him by Whitaker, and by Jones in his *History of Harewood*, but for the early descents it appears to be wholly untrustworthy. As we have said, Hopkinson seems to have first compiled the pedigree, and during two manipulations the following changes seem to have taken place:<sup>1</sup>—

<sup>1</sup> The writer is responsible for the names and dates in italics; his proofs will be given hereafter.

ARTINGTON.

ARMS. Argent, a fess between three escallop shells sable.

THORESBY'S ACCOUNT.

Cyrril, lord of Arthington. = ...  
*Vix. temp. Hen. II.*

Peter of Arthington. = ...  
*Vix. 1190. Mon. Ang. v. 549.*

Alexander de Arthington. = ...  
 Gefray de A. *Vix. 1250, mar.*  
 Mary, sister of Roger Scott.

Gilbert Arthington. = ...

Ralph Arthington. = ...  
*Vix. 1280.*

Robert Arthington. *Vix. 1349. Mon. Ang. v. 550.*

Ralph Arthington. *Vix. 320 Edw. III.*

Robert Arthington. = Matilda. Ralph.  
*ob. 1391.*

John Arthington. = ... Richard.

Richard. Robert. Thomas. William.

### WILSON'S ACCOUNT.

*As published by Jones.*

Cyrril, lord of Arthington. *Vix. temp. Hen. II.* ...

Peter of Arthington. *Vix. 1190. Mon. Ang. v. 549.* ...

Alexander of Arthington. *Vix. 1250, m. sister of Roger Scott, of Scott Hall, near Leeds.* ... Geoffrey.

Gilbert of A. *Vix. 1250, m. sister of Roger Scott, of Scott Hall, near Leeds.* ... Geoffrey.

Ralph Arthington. *Vix. 1280.* ...

Robert Arthington. *Vix. 1349. Mon. Ang. v. 550.* ...

Ralph Arthington. *Vix. 320 Edw. III.* ...

Robert Arthington, *ob. 1391.* ... Matilda. Ralph, m. ... dau. of John Rawden, esq.

John Arthington. *Vix. 1391.* ... Richard.

Richard. Robert. Thomas. William.

The above is the account upon which topographers have relied for illustrations of the history of the old family of Arthington: let us see how far it agrees with such facts as come within easy reach.

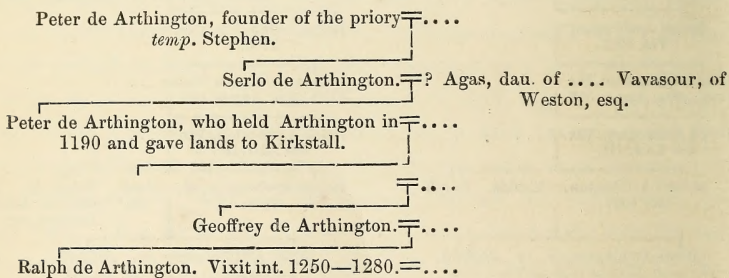
In the latter part of the reign of King Stephen or the early part of that of Henry II. a priory of Cluniac nuns was founded at Arthington by the then lord of the estate, Peter de Arthington, who gave the site of the house.

Serlo son of the founder gave other lands, and Agas de Arthington, daughter of ——— Vavasour, esq. of Weston, added to the donation. Peter son of Serlo de Arthington also gave other lands. Peter is known to have held Arthington in 1190. (*Mon. Ang.* v. 549.)

Ralph son of Geoffrey de Arthington also gave lands. The date of this donation may be approximately fixed. Galfrid de

Arthington witnesses a charter of Roger son of Hugh de Lelay giving land in Bramhope to Kirkstall Abbey, and Ralph de Arthington witnesses the charter of Adam son of Adam son of Hugh de Lelay also giving lands in Bramhope to the same abbey. It appears therefore that the two generations of Arthingtons have been about contemporary with the two generations of Lelays; and, as Hugh de Lelay, the father and grandfather of the above Lelays, did not live long after 1221, we may take 1250 and 1280 as ending the periods in which Geoffrey and Ralph Arthington respectively flourished.

But we have now covered a period of 130 years, and the pedigree, as far as the descent of Ralph is concerned, unquestionably stands as follows:—



The next recorded possessor of the estate was Robert Arthington, who, according to Kirkby's *Inquest*, in 1285 held half a knight's fee in Arthington of the Abbot of Kirkstall, where 20 carucates make a knight's fee. This accords with Hopkinson, who says the successor of the above Ralph was Robert.

Laurence Arthington held Arthington in 1302. He paid ten shillings to the aid granted to the King for the half-fee he held in Arthington, and in that year was one of the jury appointed to inquire into the knight's fees in the wapentake of Skyrack. His tenure continued at least as late as 1334.<sup>3</sup> He appears to have been succeeded by

<sup>1</sup> On the 5th July, 1327, Laurence Arthyngton and William de Ilkedon were ordered to raise the men of the wapentake of Skyrack for service in Scotland; and again in November, 1334, Walter de Haukesworth and Laurence de Arthyngton were to raise the hobelars and footmen of the same wapentake for service in Scotland.

Robert Arthington of Arthington who lived in 1349,<sup>1</sup> but of whom the writer has failed to learn anything. It is probable, however, that there was another possessor<sup>2</sup> before

Robert Arthington, who died between the 24th August and the 21st November, 1391, leaving his body to be buried in the church of the nuns of Arthington. (See Test. Ebor. i. p. 153.)

In his will he mentions his wife Matilda, and a son Richard, whose name we have placed in the pedigree (*in italics*), believing him to be the successor of his father to the exclusion of the John Arthington there given.

The pedigree continues—

Richard Arthington of Arthington, Esq., son and heir of John, married Jane daughter and coheir of Sir Roger Hersick, Knight, and had issue,

John Arthington of Arthington, Esq., son and heir of Richard, living 28th Hen. VI., married Jane daughter and coheir of Sir John Coniers, *alias* Norton, Knight, and had issue, Henry, John, Richard; Ann, married Mr. Robert Allen of Craven; Dorothy, married Mr. William West of London; Elizabeth, married Mr. Henry Craddock of London.

Henry Arthington of Arthington, Esq., son and heir of John, married Maud daughter of Sir Richard Goldsborough, Knight, and had issue, Richard, William, Robert, George, Laurence.

Richard Arthington of Arthington, Esq., son and heir of Henry, married Rosamond daughter of Thomas Lister, of Westby, Esq., and had issue, Sir William, and Isabel, who married Thomas Wombwell, of Thunnercliffe Grange.

Sir William Arthington of Arthington, Knight, son and heir of Richard, married Catherine daughter of Sir William Ingleby, of Ripley, Knt., and had issue Cyril; Jane, married Hugh, younger brother to Lord Windsor; Cicely, married Christopher Lancaster of Craketrees, in Westmerland, Esq.; Frances, married Sir Edward Plumpton, Knt.<sup>3</sup> The above Sir William purchased the rectory of Adel, formerly belonging to Kirkstall abbey, of Queen Elizabeth. He was buried in Adel church 1623.

<sup>1</sup> See *Mon. Ang.* v. p. 550.

<sup>2</sup> Perhaps the Ralph given in the pedigree as living 32 Edw. III.

<sup>3</sup> This marriage took place 13 Sept. 1599, when Sir Edward was in his 18th year.  
—*Plumpton Correspondence.*

As from this point the pedigree appears more correct, we do not purpose to make any further remarks upon it. We shall simply record such confirmatory or contradictory evidence applying to the preceding notices as has come to our knowledge.

In November 1480, John Arthington, Esq., and Henry Arthington, Gent., are jurors in an inquisition respecting the Plumpton property. This certainly cannot be the John Arthington given as the son and successor of Richard Arthington (and of whose position in the pedigree we have no proof), yet it is more than probable that, taking Richard as the immediate successor of Robert his father, who died in 1391, two or more Johns followed him. John Arthington, the supposed son of Robert, is said to have had a son Robert, and in 1501 a Robert de Arthington was buried in the church of the Nuns of Arthington. Moreover, a William Arthington, Esq. (which was the name of one of the above John's sons), is said to have held Arthington in 1500 (see *Plumpton Correspondence*).

It is perfectly true that John Arthington held Arthington in the 28th Hen. VI.;<sup>1</sup> and it seems also true that an Arthington married a Conyers (*alias* Norton), for on the 22nd October 1493 a licence is issued by Julian the Cardinal for William Norton and Joan Arthington, who were related in the *fourth* degree, to marry; and on the same day the rector of Adel is licensed to marry them in the chapel of the manor-house of Arthington.<sup>2</sup> The question is, was this Joan a sister of Henry Arthington, given in the pedigree as the heir and successor of the above John? and is he the John Arthington who, by will proved 24th March 1507, orders his body to be buried in the church of the nuns of Arthington?

Henry Arthington, who held Arthington in 1540, and was empanelled to try the Yorkshire prisoners taken in Darcy's rebellion of the Pilgrimage of Grace, seems to have married two wives, the first probably dying young. Henry Arthington married Dorothy, daughter of Sir Robert Plumpton (who died

<sup>1</sup> He entered into litigation with the nuns of Arthington: see *Mon. Ang.* vol. iv. p. 419.

<sup>2</sup> See *Test. Ebor.* vol. iii. In the latter licence the gentleman is called John Norton.

1523, aged 70) and Agnes Gascoigne his wife, and they had a son, Richard Arthington.<sup>1</sup> Henry Arthington married (and as it is supposed for his second wife) Maud Goldesburgh of Adel, in the chapel of Arthington, on the 19th August 1505, and by her appears to have had four sons, William, Robert, George, and Laurence.

Although the name of Arthington is extinct as that of a county family, it still lingers in Leeds and holds great respectability. The intention of the present writer was not to meddle with the later generations, but he cannot refrain from giving the following notices, which may help some future genealogist.

Joshua Arthington was a linen-draper in Leeds in 1704. *London Gaz.* No. 4060.

June 9th, 1830, in her 77th year, after a long and trying indisposition, (died) Sarah the wife of James Arthington, Esq., of Carr House. *Leeds Intell.* June 24th, 1830.

At Bath, on the 24th Jan. 1836, (died) Mary Anne, daughter of the late Thomas Arthington, Esq. of Arthington Hall, Yorkshire, and wife of Major-General Davy, of Tracy Park, Gloucestershire. *Leeds Intelligencer*, Jan. 30, 1836.

If any of the correspondents of the *Herald and Genealogist* can add to, or correct, these "Notices" of this ancient family, their additions or corrections will be gladly read by

A. E. W.

## DOUBTFUL PEDIGREES.

### GREER OF GRANGE MACGREGOR.

Strict impartiality demands a notice of this Pedigree, which, in some inexplicable manner, seems to assert the representation of the well-known Dumfries-shire family of Grierson of Lag, with what truth we shall proceed to demonstrate.

#### LINEAGE.

The family Greer, or Crier, is derived from Gilbert Macgregor, second son of Malcolm laird of Macgregor, who married the daughter and only child of the laird of

<sup>1</sup> Richard Arthington was the nephew of William Plumpton, esq. who made his will 1st July, 1547: see *Plumpton Correspondence*.

Lag, and became possessed of Lag castle, and the lands thereunto belonging, in Nithe-dale, co. Dumfries, where he settled, and dying about 1374, left issue, who assumed the short appellation of Greer.

From him descended Sir James Greer, knight of Lag, a steady royalist and adherent of Charles I. to the last. He was expelled from his castle of Lag by the Cromwell party, and at his death left, (with a daughter Anne, who married Thomas, son of General Turner, of Turnerstead, co. Cumberland, and with her husband removing to Ireland, was ancestor of the Turners, of Turnershill, near Newry, co. Armagh,) a son, Henry Greer, esq. who married in 1652 Mary, sister of the above-named Thomas Turner, and removed with her to Lurgan, in Armagh, where they finally settled, and dying there left two sons, Robert the younger, and his heir James Greer, esq. born in 1653, &c. &c.

From which point the lineage need not be further noticed, except to observe that it deals with respectable persons, whose appearance in it violates no historical probabilities.

With respect to the early portion of the pedigree above quoted, we do not know whether the origin of the Griersons of Lag is as there stated, nor need we stop to pursue such inquiry. What is certain is that this family is of very considerable antiquity in Dumfries-shire, and is still among the landowners of that county.

But one would suppose from the lineage, that in the persons of "Sir James Greer" the "steady Royalist," and his son Henry (apparently his only son), the Triersons' connection with Dumfries-shire had ended, and, "expelled from their castle of Lag," they had been driven forth landless wanderers to find a haven at Armagh. Let us see how the records of Dumfries tally with this theory. On examining them it will be found that the following is the succession of the knights of Lag during the seventeenth century:—

Sir William Grierson, knight, of Lag, died before 21st April, 1629, succeeded by his son and heir,

Sir Robert Grierson, knight, in the barony of Lag, and others in the shires of Annandale, Kirkcudbright, &c. (Inq. Spec. Dumfries, No. 133.) This knight dying before 2nd February, 1654, is succeeded by his son and heir,

Sir John Grierson of Lag, knight. (Inq. Spec. Dumfries, No. 216.) He enjoys his possessions but five years, for on 11th February, 1659, Robert Grierson of Lag is served heir of Sir John his father in the above barony. (Inq. Spec. Dum-

fries, No. 230.) This baron seems to have died without male issue, for

On 29th April, 1669, his cousin Robert Grierson of Lag is served heir male of Robert Grierson of Lag, *filiu patru*, in same barony. This well-known personage is generally understood to have been the original of Scott's *Redgauntlet*. Many traditions of his severity and blood-thirstiness yet linger among the peasantry of the south-west of Scotland. We venture to say that possibly the persecuting laird of Lag was after all no worse than his neighbours. They were all the servants of one who, in the language of the Cameronians, or "hill men," was a forsworn though once covenanted King, and their strict obedience to the orders of the Privy Council in the reigns of Charles and James drew down on them the maledictions of the losing side. At the Revolution of 1688 the latter showed every willingness to make reprisals in kind, as was evidenced by the "rabbling" of the Episcopalian clergy and their innocent families (of which Macaulay, Whig though he was, gives a very fair account), and but for the impartiality of William III. (with one celebrated exception) the fiercer spirits would no doubt have taken bloody revenge.

From "Redgauntlet," (created a Baronet of Nova Scotia in 1685), the line of the Griersons of Lag seems to have continued in unbroken succession, and they are still, as has been remarked, landowners in Dumfries-shire. It will be observed, that in the Dumfries Records there is no mention of Sir *James Greer*," and the expulsion of this "steady Royalist" from his castle is doubtless a fiction. "The Cromwell party" do not appear to have molested the genuine Knights of Lag in any way, whatever may have been their Royalist proclivities. The absurdity of the early lineage of Grange-Macgregor, connecting it with Lag, is thus, we think, pretty clearly shewn, and, admitting the possibility of its being an offshoot, it has no right to arrogate by implication the representation of that family.

The arms and crest assigned to the family, "Argent, an oak tree eradicated surmounting a sword in bend sinister, ensigned with an imperial crown, all proper; on a chief gules an imperial crown proper: Crest, a lion's head erased, crowned with an antique crown," seem to be those of Clan-Alpine, with some

trifling variation, *e.g.* the oak instead of the "ever-green pine" of Macgregor. The motto over the crest, is "Scriog hail in Dhraim," apparently Gaelic, our knowledge of which ancient tongue is too imperfect to warrant us in criticising. The other, under the arms, "In do, bait spair nocht," appears to be a rather corrupt reading of the second last line of the spirited poem written by the talented Sir Alexander Boswell, "Clan Alpin's Vow,"

*E'en do, spare nocht, in time of ill,  
Shall be Clan Alpin's legend still.*

Allusive of course to the wild life of this long proscribed clan, whose hand, like the Ishmaelite of old, was against every man. It is exceedingly appropriate to the shield of a genuine MacGregor, but whether it is warrantably attached to that of Greer is unknown to the writer.

As our discussion has had something to do with Highland genealogies, perhaps we may be permitted to append the analysis of a Gallovidian or quasi-Highland "Mac," which exhibits in comparatively brief space a fine superstructure of fiction on a slight basis of fact.

#### MACMICKING OF KIL ST. NINIAN, AYRSHIRE.

The chief of which, according to *The Landed Gentry* (1848) *Addenda*, was then Thomas Macmicking, esq. of Miltonise, co. Wigton, whose alliance and issue are there duly chronicled.

The lineage begins in this misty fashion —

Little is known of the origin of this family beyond the current tradition of Mahun the founder having come to Carrick from the Dalread, co. Argyll, in the ninth century (temp. 836), and from him is derived the surname.

Till about the end of the twelfth century little has been preserved of his descendants' history, but at that time Mahun Rusid is heard of as having fought a pitched battle on the south of the Girvan where Ardmillan House now stands, and as having afterwards crossed Loch Ryan, and established himself in Kirkcolme. At this place he and most of his followers were murdered. Some of them are said to have fled to Ireland, some few to have returned to Ayrshire, and one or two appear to have remained undiscovered in Kirkcolme.

Most unfortunately these stirring incidents are not to be found in any of the early chroniclers, and they have likewise escaped the notice of Lord Hailes. It is true that in the *Annals of Scotland* (1174-86) his lordship gives an account of the long and bloody dissensions which took place in Galloway during those

years, between the sons of Fergus, the lord of that province, which may thus have afforded some groundwork for the legend of Mahun Rusid. No such person is, however, named in any authentic history, and it would be a waste of time to disprove his existence.

A long blank now occurs in the family history, or traditionary MS., for we are next told that

Ninth in descent from the Rusid was *Sir* Gilbert, who married Agnes Macdonald, daughter of John the son of Angus, King or Lord of the Isles. His son John spelt his name Macmichan, who was grandfather of John who sold his estate, and died in France in 1507. He was the last of that ilk.

It is of course impossible to contradict this loose mode of skipping over a few centuries, and we can but shrug our shoulders, with the Horatian maxim, *credat Judæus*, on our lips. The family, however, phoenix-like, rise from the ashes of "the last of that ilk"; for

Gilbert, second in descent from him, regained a part of the old estate by marrying Isabel Hamilton of Killantringan, which barony has since continued to be the designation of the chief of Macmicking. At the time of the Scottish Reformation some of the clan were not undistinguished. The second son of Gilbert of Killantringan (first of Miltonise), having caused to be rebuilt the family chapel (Barhill) where Presbyterian ministers preached to the country people, was the first person in Scotland persecuted by Claverhouse, who, not finding the laird at Miltonise, carried off three horses, &c. The Rev. John Macmichan of Dalry was also among the proscribed.

We have now got some data, which we shall examine. From the Special Retours of Wigtonshire it is quite clear that in 1636-46 the  $2\frac{1}{2}$ -merk lands (not barony) of Killantringan were among the possessions in that county of Hugh Montgomery, Viscount of Ardes; and there is no entry in those records, during the remainder of that century, showing that they belonged to a Macmicking. Therefore, the acquisition of this so-called barony by marriage, in the previous century, by the Macmickings, is a fiction. More than this, it is refuted by the following additional evidence. In the General Retours for the whole of Scotland, there is extant (No. 6,009), on 8th March, 1671, the service of Gilbertus McMeikan, "*hæres Thomæ McMeikan in Killantringan, patris.*" One of these *may* be the person whose second son is said to have enjoyed the pre-eminence of being first persecuted by Claverhouse. But Thomas, the father, was not "of" (*i.e.* owner of) Killantringan. The word "in" attached

to his name stamps him as merely the tenant or indweller in these lands, under some other as landlord. Every Scottish lawyer knows this. Moreover, a general, unlike a special service, does not imply that the succession taken up is to a landed estate. It may be so; but such services were quite as often taken to bonds for money and moveables, and very frequently merely to prove the fact of relationship between two persons, for other purposes. Killantringan, therefore, in 1671, was not Thomas's property: and how his son Gilbert or his successors acquired it (if they did so) does not appear. We are merely informed, that

John of Killantringan, fifth in descent from Gilbert, entailed his estates past his next of kin, the present chief, Thomas Mackmicking of Miltonise, on a distant relation. His successor broke the entail, and sold Killantringan in 1840, the Grange estate remaining bound by it.

The spellings of the name are various. From the ancient one of Macmahun are derived the present corruptions of Macmehan and Macmichan, both common in Galloway, being descended of those who remained in Kirkecolm on Mahun Rusid's death. Macmichan is still borne by the Mickleforthhead family; Mackmiking was adopted about 1500 by John; Macmicing has fallen into disuse; Macmicking is the spelling of the chief of the clan: Macmikin and Macmicken are also common. In addition to these are sometimes found Mehan, Meihan, &c. without the prefix of Mac.

It would not surprise us if, in the forthcoming edition of the *Landed Gentry*, Marshal Macmahon, the Duke of Magenta, turns out to be a Macmicking in disguise, and is claimed as an offshoot by the chief. We commend to that gentleman's notice a still further variety in spelling his patronymic, viz. McMeikan, which is, as we have shown from the Records, a *bonâ fide* one, claiming an antiquity of nearly 200 years, and may be considered as a humble contribution to the family tree.

In sober earnest, however, it must be said that it gives one rather a feeling of melancholy to learn that the trivial legends which we have quoted at some length (and, it must be added, with not a little weariness,) are thought worth printing, and prized as a mark of social distinction by the doubtless respectable person who styles himself the chief of Macmicking.

The arms are also curious:

Azure, four fleurs-de-lis in cross, the tops to the exterior of the shield, or; and for the chief over all an escucheon dovetailed, as badge of chiefship. *Crest.* A demi-savage, bearing in his dexter hand an arrow, and wearing at his back a quiver-full proper. *Mottoes.* "Res non verba;" and also, "We have done," or "We hae dune."

No seat appears to be assigned to the family. A Kil St. Ninian and a Barhill are marked on the map of Ayrshire, in the parish of Colmonell. From their locality, these are probably the places referred to in the pedigree; but whether they were ever, or are still, included among the possessions of "the Macmicking," is unknown. Having thus introduced our readers to the family history of a Scottish chief not hitherto generally known, we may conclude in the words of his motto, by observing that "*We hae dune.*"

ANGLO-SCOTUS.

### PEDIGREE OF FIELD OF EAST ARDSLEY.

In an article contributed by me to *The Gentleman's Magazine* for November 1862, on John Field the Astronomer, who flourished in the reigns of Philip and Mary, and Queen Elizabeth, suggested by Mr. Hunter's notice of the family in the number of May 1834, and in his *History of South Yorkshire*, I stated that Matthew Field, whose will is dated January 10, 1638-9, was a son of the astronomer, whereas recent investigations show that he was his grandson and son of another Matthew.

The mistake may not be considered surprising when we find that the will mentions brothers James, William, and John, and sister Ann, all of which names appear in the Visitation of Yorkshire in 1585 as children of the astronomer. It is true that another sister Jane is named in the will only, but I supposed that she was born after the Visitation.

The facts are however these. On the 4th of August 1631, as appears in the Registry at York, Matthew Field, son of Matthew Field, of East Ardsley, gent., deceased, was appointed administrator on the estate, and it was this Matthew, the son, who made his will in 1638-9, that I mistook for his father.

It also appears among the evidences in the Public Record Office that on the 9th Sept. 7 Charles I. an inquisition was held at Doncaster after the death of Matthew Field, of Ardeslaw, gent., and it is there stated that James Field was his son and heir, then aged forty years.

The following is the corrected pedigree.

*Kingston-on-Thames.*

OSGOOD FIELD.

FELD OR FEILD, OF EAST ARDSLEY, IN THE WEST RIDING OF YORKSHIRE.

WILLIAM FEILD, of the parish of Bradford; =Katharine. Letters of administration upon her husband's estate granted to her April 21, 1480.

..... Feild. =.....

Richard Felde, of East Ardsley. Will dated Aug. 19, =Elizabeth, co-executrix of Thomas Felde, supervisor of his brother Richard's will.  
proved Dec. 8, 1542.

John Feild, of East Ardsley, co-executor of his father's will. Had the family arms confirmed and =Jane, dau. of John Amyas, of Kent, executrix a crest granted to him Sept. 4, 1558. The Herald's Visitation of Yorkshire, 1585, records the names of her husband's will. Her own is dated July of himself, wife, and children. His will, dated Dec. 28, 1586, was proved May 3, 1587. Buried Aug. 3, 1609.

Richard Feild, =.....  
aged 22 in 1585. Disinherited by his father.  
Matthew Feild, of East Ardsley.  
Named in his mother's will.  
Died June 2, 1631. Letters of administration upon his estate granted to his son Matthew Aug. 4, 1631. =  
Christopher.  
John.  
Anne.  
Not named in their mother's will.  
Thomas Feild.  
Named in his mother's will and called third son.  
William Feild, =Jane, dau. of John Sotwell Field.  
of Thurnscoe, executor of his and widow of George Burdett of Carther's will.

Mary Feild. James Feild, of Thurnscoe. =Margaret.  
Named in coe. Heir to his father, as per inquisitio p. Mortem, held at Doncaster 9 Sept. 1631, then aged 40. Called "eldest brother" in his brother Matthew's will. Inherited the manor of Thurnscoe from his father.  
Matthew Feild, of East Ardsley; bapt. there March 12, 1608-9. Will dated Jan. 10, 1638-9; proved April 19, 1639.  
William Feild, co-executor of Robert Matthew's will. June 14, 1632.  
John Feild, bapt. Jan. 27, 1610-11. Co-executor of his brother Matthew's will.  
Judith Feild, bapt. at East Ardsley Mar. 25, 1604; wife of Henry Shaw.  
Jane Feild, wife of man Oct. 27th, 1627, at East Ardsley.  
Anne Feild, mar. to William For-

James, bapt.<sup>2</sup> Aug. 17, 1623. William, bapt.<sup>2</sup> May 4, 1630. Robert, bapt.<sup>2</sup> Jan. 27, 1632-3. Anne, bapt.<sup>2</sup> June 23, 1639; bur.<sup>2</sup> April 9, 1640. Judith. Named in the will of her uncle Matthew; mar. at Rothwell Nov. 7, 1648, to Joshua Sylvester, of Mansfield, gent. 16 years of age. Matthew Feild, only child; named in his father's will in 1638-9. Not then

<sup>1</sup> At East Ardsley.

<sup>2</sup> At Thurnscoe.

# THE WILL OF HUGH AWDELEY THE USURER, AND NOTES ON HIS LEGATEES :

WITH A PEDIGREE.

WE find in Smyth's *Obituary*, under the date of 1662, Nov. 15, the following entry : " Mr. Hugh Audley, sometime of y<sup>e</sup> Court of Wards, died infinitely rich."<sup>1</sup> Pepys<sup>2</sup> records the event in his Diary of 23 Nov. in these words :—" I hear to-day old rich Audley is lately dead, and left a very great estate, and made a great many poor familys rich,—not all to one. Among others one Davis, my old school-fellow at Paul's, and since a bookseller in Paul's Church-yard ;<sup>3</sup> and it seems do forgive one man 6000*l*. which he had wronged him of, but names not his name ; but it is well known to be the scrivener in Fleet-streete at whose house he lodged."<sup>4</sup>

The editors of both these works refer to a pamphlet published at the time, intituled

*The Way to be Rich, according to the Practice of the Great Audley, who begun with two hundred Pound in the year 1605, and dyed worth four hundred thousand Pound this instant November 1662. Rem, quocunque modo Rem. PSAL. xlix. 13. Yet their posterity approve their sayings. London, Printed for E. Davis, 1662. 4to. pp. 38.*

There are two copies of this in the British Museum (113 l. 49 and 1029 c. 1). It appears however to have been an unauthenticated and catchpenny book ; and we gather from it only one intimation of his relations, and that uncorroborated by our researches, viz. that he learned his habits in his youth " from his uncle, one Williams, with whom he was inured to this closeness and parsimony." (p. 2.)

The Probate of Hugh Awdeley's Will is in my possession, and,

<sup>1</sup> Obituary of Richard Smyth, edited for the Camden Society by Sir Henry Ellis, p. 56.

<sup>2</sup> Edit. 1848, vol. ii. p. 68.

<sup>3</sup> Afterwards Sir Thomas Davies, alderman and lord mayor.

<sup>4</sup> This seems to have been the addition of idle rumour.

being interesting, not only on account of the genealogical information it affords, but for some eccentric bequests it contains, I here give it almost in full:—

In the name of God, Amen. The fowreth day of November, anno Domini 1662, I, HUGH AWDELEY, of the Inner Temple, London, Esq., being though sicke and weake in body yet of perfect memorie, praised be God therefore, doe make this my last will and testament, in manner followeing. First and principally I commend my soule into the hands of Almighty God the Father Sonne and Holy Ghost my Maker and Redeemer, beleivinge by the precious death and bloodshedinge of my Redeemer Jesus Christ, and by the mercy of God to have pardon and forgivenes of all my sinnes and to bee saved; my body I [committ] unto the earth, to bee buried in decent manner with as much privacy as may bee, and without any blackes or mourning weeds to bee used at the interring thereof, only rings of a reasonable value to be given to such as shall accompany my corps at the interring thereof in remembrance of their departed friend. And as for those worldly goods wherewith God hath blessed mee, I doe dispose, give, and bequeath the same as followeth. Item, I give and bequeath unto and for the use of the poore harboured and kept in the three noted hospitalls in or neare London, commonly called and knowne by the name of Christ's hospitall, St. Bartholomew's hospitall, and Saint Thomas' hospitall in Southwarke, to each of them one hundred pounds, &c. . . . Item, I give, bequeath, and appoint fower hundred pounds to bee given and distributed at the discretion of my executors unto fortie maiden servants such as are knowne to bee Protestants, and to live under the Episcopall government, and not reputed to bee of the Presbyterian religion, Quakers, or any other of the new upstart religions, by tenn pounds a peece, who have served one master and mistresse, or one master or one mistresse by the space of three years next before my death, not being apprentices, or of their kindred, but serveing for wages only. Item, I give and bequeath unto my two kinsmen Mr. Nicholas Bonfoy and Mr. Thomas Bonfoy, to each of them one hundred pounds, and unto their wives tenne pounds a peece, to make them rings. And I give unto Hugh Bonfoy my godsonne five hundred pounds, and to every one of the other children of my said two kinsmen one hundred pounds apeece. And I alsoe give unto the two sisters of my said two kinsmen one hundred pounds a peece, and to their husbands tenne pounds a peece to make them rings. And I give unto Anne Camfeild my God-daughter two hundred pounds, to bee paid unto her at her age

of eighteen yeares, if she live soe long. And I alsoe give and bequeath unto every one of the other children of my said two kinswomen twenty pounds a peice. And I alsoe give unto the fower children of my cosen Samuell Bonfoy deceased one hundred pounds a peice to bee paid unto them at their severall ages of eighteene yeares, if hee or shee bee then liveing to receive their legacie. And I alsoe give unto Susanne Hide, now the wife of ——— Harris, one hundred pounds, and unto every one of her children twentie pounds a peice. Item, I give unto my kinsman Mr. Edward Waterhouse a peice of plate of the value of thirtie pounds. Item, I [give] unto my nephew Mr. William Harvey five hundred pounds, and unto his sonnes Robert Harvey, Hugh Harvey, and Benjamin Harvey, and his daughter Sarah Harvey, five hundred pounds apeece, to be paid to them respectively within one year next after my decease. Item, I give and bequeath to my nephew Mr. Robert Harvey one hundred pounds, and to his wife tenne pounds, to buy her a ring. And I doe alsoe hereby remise, release and quit claime unto my said nephew Robert, all such debts, duties, and demands whatsoever in anywise due unto mee upon his former accompts, which I accompt to bee very great, and hee would never perfect them; and now my intent and meaning is, hee shall never bee questioned for them. Item, I give and bequeath unto my cosen John Harvey, eldest sonne of the said Robert Harvey, fifteene hundred pounds, and to his two brothers Hugh and Robert five hundred pounds a peice, and to their two sisters, daughters of my said cosen Robert Harvey, fifteene hundred pounds a peice, but with this condition, that whereas their father hath accompts dependeing with mee for two yeares past, if hee shall not within the space of one month next after my decease perfect those accompts, and cleare with my executors the foote of the same, that then soe much as my executors shall discover to bee due upon the said accompts, and shall rest as a certaine sum at the foote thereof to be paid, shall be deducted out of the said severall legacies, and the rest, after such defalcation made, shall be paid to the children proportionably within one yeare next after my decease. Item, I give and bequeath unto my kinsman Mr Robert Shirley one hundred pounds, and to his wife tenne pounds, to make her a ring, and to their two daughters five hundred pounds a peice, to bee paid at the end of one yeare after my decease, if they bee then liveing. Item, I give unto my cosen M<sup>tres</sup> Marie Davies one thousand pounds, to bee paid one halfe six months after my decease, and the other halfe

six months after that; and to every one of her children three hundred pounds a peice, to bee paid within one yeare next after my decease. Item, I give and bequeath unto my cosen Mr<sup>s</sup> Mary Griffith two hundred pounds, to be paid unto her at the end of one yeare next after my decease, if shee bee then liveing; and unto my cosen Price one hundred pounds, and to her husband tenne pounds, to make him a ring, to bee paid within six months after my decease. Item, I give and bequeath unto Mr William Harvey my halfe brother two hundred pounds, and to my kind and ancient frend Mr<sup>s</sup> Sarah Methwold a peice of plate of the value of tenne pounds, and unto Mr John Glover and Priscilla his sister, two of the children of Mr<sup>s</sup> Elizabeth Glover, deceased, unto each of them twentie pounds a peice, and unto John Gardner, sometime one of my clarkes, tenn pounds, as a token of my affection, and I doe hereby release and discharge to him the debt hee oweth me. Item, I give and bequeath unto my honoured frend Sr Ralph Sydenham thirty ounces of guilt plate, and unto my honourable friend and kinsman Hugh Lord Colraine and Sr Ralph Hare, Baronett, to each of them soe many peices of plate as shall cost five hundred pounds, and to my kinsman and godsonne Mr Hugh Hare, one of the sonnes of the said Lord Colraine, one peice of plate of the value of one hundred pounds. Item, I give unto my cosen James Clarke the debt which he oweth mee, and twentie pounds in monye besides, and unto Elizabeth his daughter, which hee had by my kinswoman Sarah Clarke deceased, one hundred pounds, unlesse I in my lifetime shall give him one hundred pounds. Item, I give unto Marie Lockwood, in reward and recompence and towards a satisfaction of her broaken sleepe and pains taken with mee in my sicknesse, three hundred thirtie-three pounds six shillings and eightpence in money, and all my household goods, apparell, linnen, beds, and bedding. Item, I give unto Mr Law the minister tenne pounds, and unto Edward Dodson, who was my brother's late servant, tenne pounds; and I also give and appoint one hundred pounds of my estate to bee given and distributed by my executors unto and amongst poore householders whose charge is greater than their meanes and endeavours can support, and this to bee done when and in such sort as my executors shall thinke fitt. Item, I give and bequeath unto my reverend friend the Reverend Doctor Dukeson plate to the value of tenne pounds, and to Mr Knowles my chirurgion a box to the value of tenne pounds. Item, I give and bequeath to the Honourable Society of the Inner Temple (whereof I am a member) one hundred

pounds towards the repairing of their church. Item, I give unto my kind freind Mr<sup>is</sup> Sanders, late the wife of Mr Dillan, five pounds to make her a ring. Item, I give to my cousin Gulston's two younger sonnes fifty pounds a peece if I give them not soe much in my lifetime. Item, I give to my reverend freind Doctor Sebastian Harvey, and my loveing freind Mr John Gardiner, five pounds a peece, to make each of them a ring. Alsoe, I give to the Reverend Doctor Ball five pounds to make him a ring; and I alsoe give unto Mr Fifeild, Butler of the Inner Temple, and the Clarke of the Church there, fortie shillings a peece, and to the steward and the rest of the butlers of the said Inner Temple twentie shillings a peece. And whereas I, the said Hugh Awdeley, have heretofore lent vnto Sr Thomas Gardiner knight deceased divers summes of monie, and have taken assurances by land for the payment thereof in the countie of Oxford in the names of my selfe and my nephews Mr. William and Mr. Robert Harvey, by mee named in trust for the onlie use of mee and my executors and assignes; and whereas alsoe I the said Hugh Awdeley have alsoe heretofore lent unto Edward Coke esquire deceased several summes of mony, and have taken assurances of land in the county of Norfolke for repayment thereof in the names of my selfe, William Harvey, and Nicholas Bonfoy, two of my kinsmen by mee named, in trust for the use of mee, my executors and assignes: Now I the said Hugh Awdeley doe hereby declare that my mind, intent, and will is, and I doe hereby will and devise, that all those mannors, lands, tenements, and hereditaments shall bee by my said trustees sold with all the convenient speed that may bee, and that the monies comeing, arising, or made by sale thereof or otherwise, shall be paid unto my executors herein after named for the better enabling them to pay my debts, performe this my will and testament, and discharge such other trusts as I shall repose in them. And lastlie my desire is that my debts may bee paid, and this my will performed, and for the better performance thereof I give unto my executors all the rest of my goods, chattells, readie monies, plate, debts, and jewells whatsoever, and of what kind soever; and of this my last will and testament I nominate, constitute, and appoint my loveing freinds and kinsmen Mr Thomas Bonfoy and my two godsonns Mr Robert Harvey and Mr Thomas Davies to bee the executors, and I doe hereby revoake all former wills, &c. In witness whereof, &c.

HUGH AWDELEY.

Sealed, &c. in the presence of us, Joseph Eyres,<sup>1</sup> Edward Dean, Fra. Atkyn,<sup>2</sup> Francis Gregge.<sup>3</sup>

[Proved 24 Nov. 1662 by Thomas Bonfoy, Robert Harvey, and Thomas Davies. Registered in Preg. Court Canterb. 134 Laud.]

2d Dec. 1662.

Recepi Testm. original. in usum executor.

THOMAS DAVIES.

His death occurred, as stated by Smyth, on the 15th of November, only a few days after the date of his will, at the house of the Rev. Richard Dukeson, D.D., Rector of St. Clement Danes, where he was lodging. The will was proved by the executors in the Prerogative Court of Canterbury on the 24th of the same month. It will be observed that the testator speaks of no real property, except what he held as mortgagee, although he was the possessor of several considerable estates in different counties, and served the office of high sheriff of Norfolk for the year 1649-50 as owner of Buckenham Castle in that county. The fact is, he had in his lifetime made settlements of all his landed property upon his relations, subject to his own life-interest. Having no brother of the whole blood, his two brothers having died in his lifetime unmarried, his heirs-at-law were the representatives of his three sisters, who had also pre-deceased him. The persons who stood in that character at the time of his death, were—

I. NICHOLAS BONFOY, esq., the eldest son and heir of Samuel Bonfoy, esq. deceased, who was the son and heir of Sebastian Bonfoy, a London merchant, by Alice his wife, eldest sister of Hugh Awdeley.

II. WILLIAM HARVEY, esq., who was eldest son and heir of Robert Harvey, esq., by Sarah his wife, another sister.

III. And Mary the third sister was represented by three co-heirs—viz., 1. THOMAS DAVIES, afterward Knt., son and heir of Mary the widow of John Davies, who was only child of Mary Awdeley by her first husband Stephen Peacock; 2. MARY

<sup>1</sup> Joseph Eyres, a clergyman from Barnstaple, a friend of Dr. Dukeson.

<sup>2</sup> Edward Deane and Francis Atkyn, churchwardens of St. Clement Danes.

<sup>3</sup> Francis Gregge, an attorney of Clement's Inn.

GRIFFITH, who was one of her two daughters and coheirs by John Jennings, her second husband; and 3. SARAH, wife of Samuel Price, and only surviving child of Sarah Blithe, who was the other daughter.

All these are named in the will as legatees.

Awdeley probably intended to have made the executors of his will his residuary legatees for their own benefit, but there were other relations standing in the same degree of affinity, and they disputed the will on various grounds. Suits were instituted both at law and in equity, which were not altogether terminated forty years after the death of the testator, when all the parties originally interested had left this world and its goods behind. A striking exemplification of the saying of the Psalmist, "He heapeth up riches, and cannot tell who shall gather them."

From the will, and records of the various proceedings under it, I have compiled the following pedigree, the earlier portions only being derived from those in the Heralds' Visitation of Middlesex in 1663, authenticated by Nicholas Bonfoy and William Harvey:—

*Notes to Page 155.*

(a) 1652, Dec. 24. "*John Daves*, Old Jury, broaker, a prisoner in Ludgate, buried in St Olave's Old Jury: his son Tho. Daves, a bookseller, was afterwards an Alderman and Lord Mayor of London, enriched by the legacy of Hugh Audley."—Smyth's *Obituary*, p. 33.

(b) 23 Oct. 1667—"the other Sheriffe, who is *Thomas Davis*, the little fellow, my schoolfellow, the bookseller, who was one of Audley's executors, and now become Sheriffe; which is a strange turn, methinks."—Pepys's *Diary*.

(c) 1665, July 3. "*Alexander Davis*, scrivener, died at Westminster, suspected (not returned) of the plague; his mother, Mrs. Davis, Old Jury, died there."—Smyth's *Obituary*, p. 63.

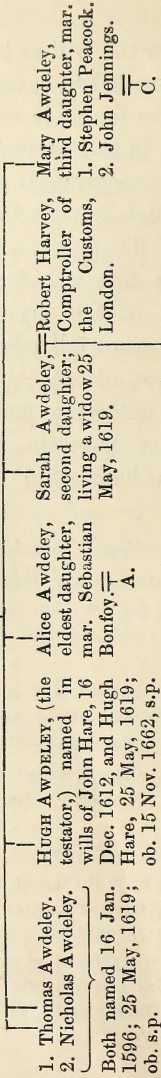
At the north gate of St. Margaret's churchyard, near the tower of the church, there still remains a raised table-tomb, upon the ledger of which is cut the following inscription: "Here lyeth interred the Body of ALEXANDER DAVIS of Ebury in the county of Middlesex Esquire, who died July 2<sup>nd</sup> Anno Domini 1665, *Ætatis suæ* 80. Here also lyeth MARY TREGONWELL, wife first of y<sup>e</sup> said Alexander Davis, afterwards of John Tregonwell of Dorset esquire, and daughter of Richard Dukeson, D.D. She was a Lady of Exemplary Piety and Charity, and dyed universally lamented on the eleventh day of July 1717, aged 75 years."

Arms of AWDELEY. Or, a fess cotised between three conies sable. BONFOY. Azure, on a cross argent a human heart gules.  
HARVEY. Or, on a chevron between three leopard's heads cabossed gules as many trefoils argent.

THE PEDIGREE OF AWDELEY.

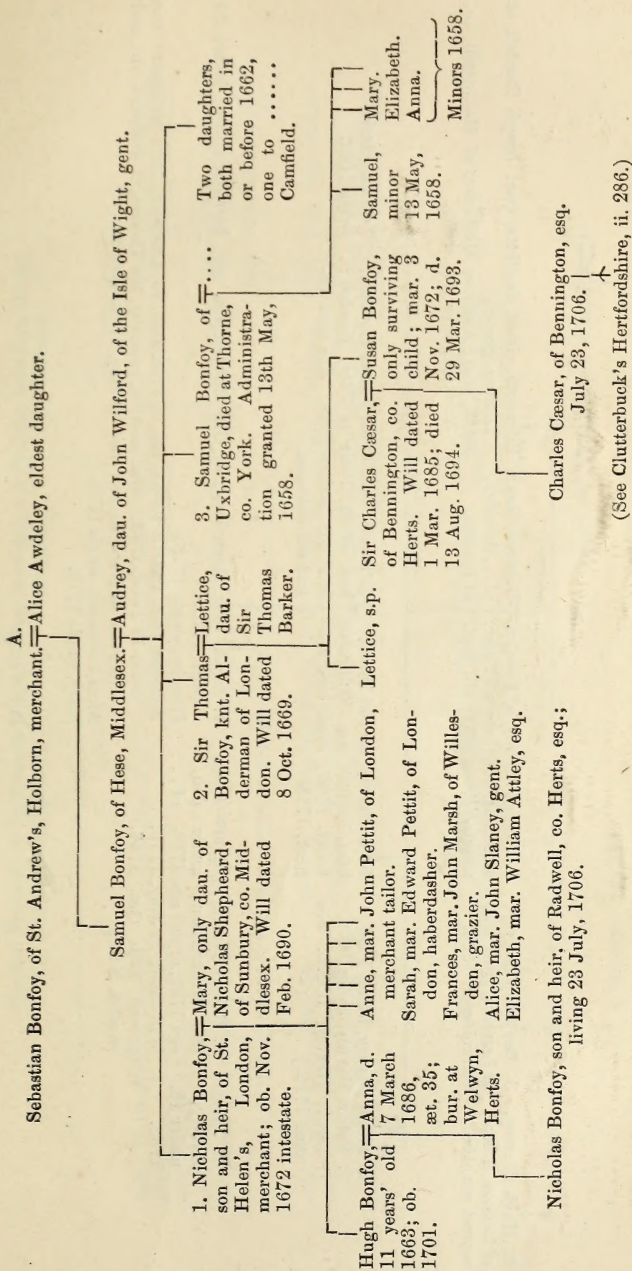
(See also Visitation of Middlesex, Harl. MSS. 1096, f. 152<sup>a</sup>; 1468, f. 127.)

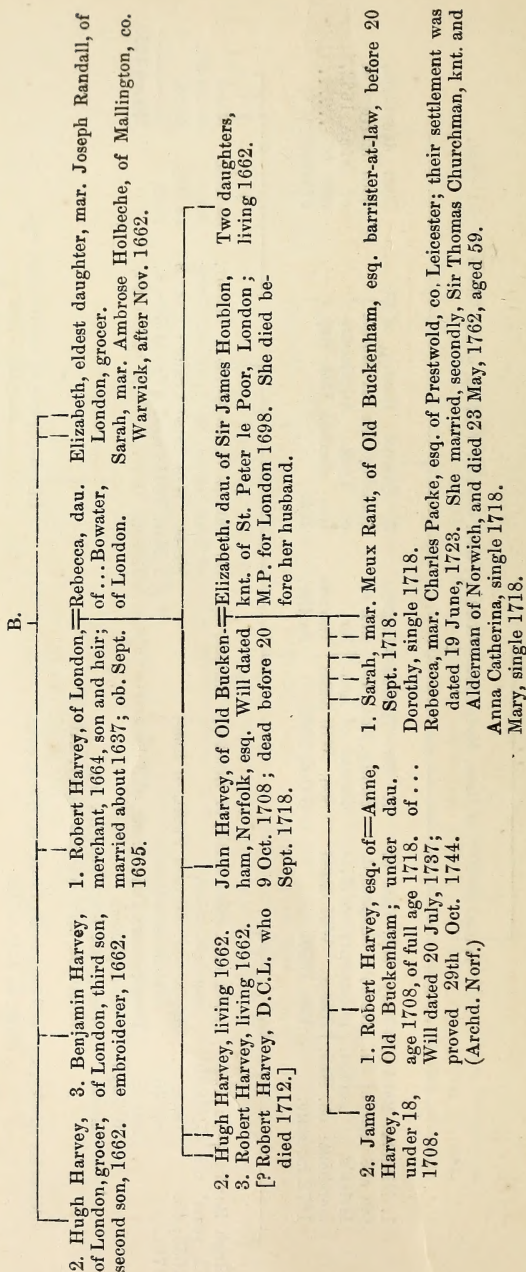
JOHN AWDELEY, of London, mercer, = Mawd, or Maudlyn, dau. of John Hare, of London, mercer;  
[of Sutton, co. Kent, esq.] living 25 Aug. 1564; 30 May, 1674.

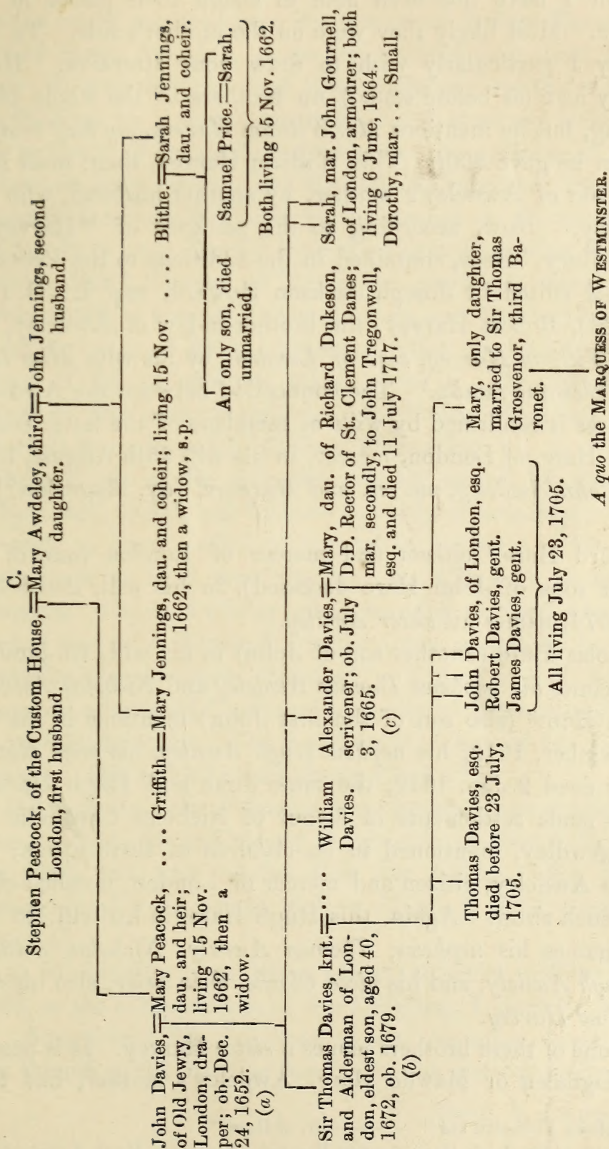


William Harvey, eldest son; = Sarah, dau. of Will. Barrett, of London, of London; living 1662. B.

2. Robert Harvey, on whom Hugh Awdley, by deed 30 Sept. 1656, settled manors and estates in the counties of Essex, Notts, Lincoln, Warwick, Wilts, and Northampton.







a, b, c, see notes in p. 151

There are still several persons named in the will as relatives to whom I have not been able to assign their places in the Pedigree. Most likely they were on the mother's side. To one difficulty I particularly wish to draw your attention. Hugh Awdeley had (as before stated) no brothers of the whole blood surviving, but he mentions *Mr. William Harvey, my half brother*, to whom he gave 200*l.* This William Harvey, then, must have been a son of Awdeley's mother, by another husband, who was a Harvey. Now, according to the pedigree of "Harvey of Ickwell Bury," Beds, contained in the additions to the *Visitation of Suffolk* edited by Joseph Jackson Howard, esq. LL.D. (vol. ii. p. 203), Robert Harvey, the brother-in-law of Awdeley, was son of *William Harvey, esq. of London*, by his wife *Miss Hare of the Coleraine family*.<sup>1</sup> The connection between the Awdeleys and Hares is confirmed by wills of members of the latter family.

John Hare, of London, mercer, in his will 25th August, 1564, names *John Awdeley, mercer, and Margaret* [qy. Magdalen?] *his wife*.

Richard Hare,<sup>2</sup> citizen and mercer of London (one of the younger sons of John Hare deceased), in his will, dated 30th May, 1574, names his *sister Awdley*.

Nicholas Hare (another son of John) in his will, 16 January, 1596, names *his nephews Thomas Awdeley and Nicholas Awdeley*.

John Hare<sup>3</sup> (also son of the first John) mentions in his will, 16 December, 1612, his *nephew Hugh Awdley, his niece Harvey*, and, by deed 2 Jan. 1612, the same John and Hugh Hare his brother made settlements in favour of Nicholas Cholmelie and Hugh Awdley, mentioned to be children of their sisters; and Thomas Awdeley, citizen and mercer of London, is called eldest son of such sister. Again, this Hugh Hare, in his will, 25 May 1619, names his *nephews, Thomas Awdely, Nicholas Awdeley, and Hugh Awdely*, and his *niece Clarke, their sister*, also his *niece the widow Harvey*.

Not one of these brothers names a *sister Harvey*. It is possible that Magdalen or Mawde Hare, Awdeley's mother, had for a

<sup>1</sup> Middlesex Visitation has " ———— dr. of Hare."

<sup>2</sup> Ancestor of Sir Ralph Hare, the first Baronet, a legatee in Hugh Awdeley's will.

<sup>3</sup> Father of Hugh first Lord Coleraine.

second husband William Harvey, by whom she was the mother of the William Harvey named in Awdeley's will. But in that case she could not have been the mother of Robert Harvey, who married Sarah Awdeley, as the latter would have been his half-sister. It may turn out that Robert Harvey was the son of the first William by a former marriage, but I have not hitherto met with evidence of such. I doubt whether the pedigree of Harvey, of Ickwell Bury, which Dr. Howard has admitted into his additions to the Suffolk Visitation, be correct in all respects. If that family is truly derived from the Harveys of West Walton in Norfolk, Ralph Harvey of Tibenham could not have been, as therein stated, a son of Robert Harvey and Sarah Awdeley, no son of the name of Ralph appearing either in Awdeley's will or in any of the proceedings taken under it. To return to the subject of this note, I shall be glad if my hypothesis can be disproved or confirmed by further information.

There is also a *Dr. Sebastian Harvey*, named by Awdeley as his Reverend friend, but without any title of consanguinity.

I wish to draw notice to one other question. The will of Hugh Hare in 1619 mentions his *niece Clarke*, a sister of the Awdeleys. Hugh Awdeley gives legacies to "*my cosen James Clarke*," and to "*Elizabeth his daughter, which he had by my kinswoman Sarah Clarke deceased*." Either one of Awdeley's sisters had a husband Clarke prior to any of those named, or she was a half-sister only. The daughter is spoken of by Alexander Davies in 1662 as his "*cozen Betty Clarke*."

"My kinsman, Mr. Edward Waterhouse," was probably the writer on heraldry and things in general, of Sion College, who died 1693, but how related does not appear. Nor does the relationship of "*my cousin Robert Sherlie*," or of "*my cousen Gulstone*."

Any information upon these points, or which will enable me to add to the completeness of the Pedigree, I shall be thankful for. And, may I be permitted to ask one more question—To what branch of the Awdley family did the testator belong?

GEO. A. CARTHEW.

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HERALDRY *versus* SYMBOLISM.

*To the Editor of THE HERALD AND GENEALOGIST.*

SIR,—In your review of my work, *The Antiquities of Heraldry*, you prefer the word “Armory” to Heraldry, and style what I call Ancient Heraldry “Symbolism.” This latter position that you take up is so important in the discussion between those who adopt my views, and their opponents, and it is so desirable to have distinct issues in a controversy which your Miscellany was chiefly designed to promote—its object being, in your own words, “the investigation of the early Remains of Heraldry in an historical and archæological spirit”—that I make no doubt you will readily admit some observations of mine in your pages that will have the effect of clearly defining points in dispute, and of eliminating propositions agreed on both sides.

I use the word Heraldry to signify the systematic and scientific arrangement of the Devices used by Nations, Clans, Families, Cities, &c. in all times and countries, as a popular, intelligible, and accepted one. “Armory” is liable to be confounded with *Armoury*, a collection of warlike weapons, and I think its use is justifiable only as a rhetorical synonyme. Whatever may be the etymological or other meaning of a word, is of no force against its usual, understood, and accepted sense. Etymologically speaking, Geology and Geography have a similar signification, but these two words have long been the settled names of different sciences.<sup>1</sup>

When I use the words you quote, “Heraldry alone, or the History of Symbolism, has made no advance,” I do not mean that Heraldry and Symbolism are of equivalent meaning, nor, as you infer, that “all Symbolism is Heraldry.” Symbolism<sup>2</sup> is a word of wider and more

<sup>1</sup> Our remarks on the terms Heraldry and Armory were founded upon the latter being much more definite than the former, and upon the art of blazon or armory being in fact only one department of Heraldry. We did not recollect at the time that Mr. Planché had long ago adopted our view. “The word Heraldry (he says) is on my title-page, and I shall continue to use it in compliance with modern custom, but it is not strictly the proper name for the subject we are discussing. ARMORY is the word used by many of our early English writers, and with much more propriety.” *The Pursuivant of Arms*, 1852, p. 15. (EDIT. H. & G.)

<sup>2</sup> Symbolism includes, for example, the Emblems of the Saints when not of heraldic origin, as the gridiron of St. Lawrence, the symbols of the Evangelists, the Crucifixion, etc. The symbols of the Dove, Anchor, Ship, etc. placed by the early

generic meaning; and accordingly, as you say, "European Armory is a species of Symbolism;" but when you add, "original and distinct from any previous systems," I must beg entirely to disagree with you.

A Symbol or Emblem is the pictorial representation of some animate or inanimate object, which serves some purpose, or expresses some meaning. In this sense many heraldic forms, being geometrical patterns, symbolize nothing, except in fancy. Thus Heraldry is not always symbolical, as much of Symbolism is not heraldic. The parti-coloured divisions of the shield and the banner—the earliest, because the simplest warlike ensigns—symbolized nothing, signified nothing, but were *necessary* distinctions of tribes and clans. Such and similar marks and patterns are found on the slabs of cromlechs, and on the pottery of the early races of mankind; they have been inherited to the present day, singly or in combination with other objects, and have never meant anything but the purpose of their original use—distinctions of clans and families. In the progress of art, animals and other objects were adopted for this purpose, probably in many, if not in most cases, without a symbolical meaning, because choice was confined to known objects, or that the country produced; and if emblematical objects had been appropriated, others of no significance, or not of the significance required, would be adopted *faute de mieux*. Otherwise, how can the ape, beetle, mouse, jackall, etc. be supposed to have been taken as ancient devices?

When you admit "that Symbolism has existed in all ages of the world, in the devices of the Jewish tribes, in the coins of the Greek cities, in the standards of the Roman cohorts, and so on," and state that "European armory is a species of Symbolism," you imply that the latter is to be classified with the former, though you introduce this important qualification, that "European armory is original and distinct from any previous systems." Here I join issue at once with you and the school you represent; and confidently affirm that European armory is neither original nor distinct from any previous systems. And

Christians on their tombs, have of course nothing heraldic about them, when confined to such general uses. So the symbol of the Triangle, to signify the Trinity, and the Serpent, to denote the idea of Eternity, with many others, belong to the large class of Religious Symbols. The Christian appropriation of the Cross is of course symbolical, but also heraldic in its multifarious use. My theory is, that almost all religious symbols were originally the chosen insignia of warrior-chieftains; many of these became purely religious or mythological emblems, and then formed part of a Symbolism that had ceased to be heraldic. This I have explained in my chapter on the "Heraldry of Mythology."

herein I must fortify my position by the admission of an eminent heraldic writer of the present day—Mr. Boutell, who says,<sup>1</sup> “I readily admit the very interesting devices of antiquity to possess decided heraldic attributes.”

Amongst the twenty plates in my book, I have given representations of ancient Mexican, of existing Japanese, and of ancient Greek and Roman Heraldry, of the devices on Greek and Anglo-Saxon coins, and of Assyrian and pre-historic devices. After inspecting these, I would ask any heraldic student if the elements or even combinations of European armory are “original.” Furthermore, I ask if many ancient shields are not exactly similar in their bearings to modern ones, and if, therefore, they can be called “distinct.”<sup>2</sup>

My plates exhibit specimens only out of thousands of instances: it is true many of them are not to be found in Mediæval Heraldry, but I contend that European Heraldry does not differ more from ancient Greek, Roman, and Mexican Heraldry, than English, German, Polish and Spanish Heraldry do from each other. If the animals and other significant objects on Greek vases are symbolical merely, and not heraldic, *i. e.* not the hereditary bearings of families, what symbolism I would ask can there be in the chequy shield, the demi-lion, demi-horse, demi-goat, demi-boar, bull’s head, &c. found in shields on vases and on coins, and also in the charge of a roundel, of which we find sometimes two and sometimes three, and arranged heraldically alone or in conjunction with annulets and crescents? We have also the heraldic duplication of a charge, as two dolphins, two serpents, two leopards, &c. There we have a counterpart of the mediæval system, arising doubtless from the same necessity—distinction in the multiplication of coats.

You ask for my “authority” for my “direct assertion” that Horsa bore the well-known ensign of the Horse. We have historical evidence that the Danes of the time of Alfred bore a Raven on their standard: this is confirmed by the figure of that bird on the coins of Anlaf, the Danish king of Northumberland. When therefore I find a horse on the coins of the early Saxon kings of Kent, I think it a fair inference that that device was originally borne on his banner by the Saxon invader Horsa, which I conceive was the name of the “historical chief-

<sup>1</sup> *English Heraldry*, p. 7, note.

<sup>2</sup> Fig. 12, plate ii. A saltire between four mullets (on the reverse of a coin of Italia, Akerman’s *Numismatic Manual*, plate x. fig. 50) is a remarkable instance of resemblance to a mediæval coat of arms. This could not have been unique: many analogous instances are met with in the ancient Mexican shields and banners.

tain" who you insinuate "had none;" otherwise, how can we account for the names of Horsted, Horsham, Horsfield, &c., named after persons? as were Ormskirk, Grimsby, Clapham, Cissbury, &c., for if the former had been named after the animal, such places would be common all over England.

You ask, "How is the Horse on the coin proved to be an armorial bearing, or even a symbol?" The sovereigns of modern and mediæval Europe exhibit their armorial bearings on their coins; so did the Eastern princes and the cities of antiquity; and the *triumviri monetales* of ancient Rome placed their own devices on their mintage. I think the converse of this will hold good: in many cases it is proved to do so; the Boar on ancient British and Gaulish coins was a well-known tribal ensign, and is found etched on an ancient copper shield of a British chieftain. A symbol that was not armorial was rarely placed on coins: thus of the butterfly, as typifying the soul, Payne Knight says, "there is no trace of this on coins, though it constantly occurs on gems."

As to your remarks about "the arms attributed to Edward the Confessor," I must refer you to my arguments at p. 156. When you say that "the birds [on his coins] are disposed in anything but heraldic order," I can only observe that this savours of the pedantry that vitiates half the reasoning on heraldic subjects; and, as you insist so much on contemporary evidence, I must beg in turn to ask you for your authority that "imaginary coats were invented for the Anglo-Saxon saints and monarchs." The remains of art and literature of the mediæval period are admittedly scanty; so when a coat of arms is found in a MS. of the thirteenth century attributed to a personage living in the eleventh, my opponents immediately stigmatize it as an invention because they consider it demonstrated that arms were unknown till the twelfth century; but, though we have no evidence of the insignia of St. George, *ex. gr.*, on seals before the time of Edward III., yet they occur in the Bayeux Tapestry; and if St. George had his ensigns, why not St. Edmund, St. Oswald, and others? It is at least probable; and it is gratuitous and illogical to assume the absence of contemporary proof to be equivalent to disproof and to forgery.

When you state that there is "no tangible or visible evidence of arms at the Conquest," I think you must have overlooked my remarks on the Bayeux Tapestry (pp. 164-173), as well as the arguments in chapters ix. and x.; or, if you have not, I should have been glad to have had their unsoundness pointed out in detail.

I must now close this communication or it may exceed due limits. On other points on which you express a difference of opinion I can only say to your readers, as Abernethy said to his patients, "Read my book."

As you are one of the foremost champions of the orthodox and prevalent views of the antiquity of mediæval armory, I can conceive that a review of ten pages is in your estimation inadequate to do justice to the discussion of the views which I have promulgated in my work. I am glad to find, therefore, that you propose to consider some of them "at length" hereafter; but you must allow me to demur to your remark that, in my chapter on "Armorial Seals," I "have readily taken much on report and at second hand." What very little I have so done has been with expressed caution and distrust, and where I have not quoted authorities it has been because to heraldic students they are well known; but I doubt not in justice you will point out the instances you have noted;<sup>1</sup> and I shall look forward with eagerness to the "opportunity" you will embrace to give reasons why my genealogical tables "fail in satisfying you that the common ancestor [in them] really bore coat-armour," as this you must be aware is an important point in the discussion between me and my opponents. I prefer the elaborate judgment of a judge to the simple verdict of a jury.

*Charlwood, Surrey, November 3, 1869.*

W. S. ELLIS.

WE were prepared to have continued, in due course, our review of Mr. Ellis's work; but, in compliance with his wishes, we allow him to interpose the foregoing letter; to which we shall, for the present, append only a few remarks in regard to these three matters to which

<sup>1</sup> If, however, you mean that my authorities are chiefly printed books, undoubtedly they are in a certain sense "at second hand." But this is almost inevitable. You are aware that the charters and seals recorded in this way, being in private hands all over the kingdom, are practically inaccessible; and even if they were not, my inspection and transcripts would be of no more value than of those who have furnished them to such works as the *Collectanea Topographica et Genealogica*, the *Topographer and Genealogist*, and *Herald and Genealogist*, or of the authors of our most trustworthy county histories; indeed not of so much, for, as I have a case to make out, my faithfulness might be questioned: whereas the works in which I have found the seals I have produced were not written to prove the antiquity of Heraldry. In like manner, the heraldic insignia I have given from vases and coins are for the most part necessarily given "at second hand." And, had I quoted coats of arms from such works as the *Boke of St. Alban's*, Gerard Legh's *Armory*, or Mathew Paris, who give no vouchers for their statements, this would indeed have been offering evidence "on report;" but I have not done so: or, in the few cases I have done it or the like, or cited the Heraldic Dictionaries, it has been *quantum valeant*.

he adverts: 1. the arms of Edward the Confessor; 2. the cross of St. George; and 3. the Bayeux tapestry.

1. As to the so-called Arms of Edward the Confessor, the arguments to which he refers us are as follow. A shield<sup>1</sup> bearing a cross between five birds (which are usually called martlets, but were more probably intended for doves,) appears upon the interior walls of Westminster abbey, placed there at its re-edification, temp. Hen. III. As that was *only two centuries* after the Confessor's lifetime, Mr. Ellis argues that "so glaring an anachronism would not have been perpetrated before the eyes of those who, or their fathers at least, must (according to the theory advanced) have witnessed or remembered the origin of the practice"—of adopting coat-armour.

But this is an argument to which, knowing the simplicity and ignorance usually manifested in the middle ages upon matters of history and antiquity, we can attach little weight. Artists of the reign of Henry III. would without hesitation design a portraiture of Edward the Confessor, would attire him in robes or in armour—as they would have served King David, according to the fashion of their own day; and with as little hesitation would have proceeded to furnish him with a coat of arms in correspondence with contemporary monarchs. This was literally done in the paintings of St. Stephen's chapel, Westminster, made in the reign of Edward I. Their subjects were taken from the Old Testament, and engravings are given in Vol. VI. of *Vetusta Monumenta*, the same which contains the Bayeux Tapestry. King Judas Maccabeus (Plate XXXV.) there bears *Gules, a fess between six martlets or*, and in one instance the fess is charged with a fret argent (the artist's mark, perhaps, of his work, as we are much disposed to regard it); whilst another king, whom king Judas is unhorsing, bears *Gules, a bear passant or*. Now, is Mr. Ellis seriously disposed to maintain that Judas Maccabeus actually bore those arms?

In another picture (Plate XXXVII.) occurs the Coronation of Edward the Confessor, as attested by the original legend: CEST LE CORONEMENT SEINT EDWARD. Unfortunately for Mr. Ellis, there is here no indication of heraldic armory; but the king's sceptre is surmounted with a *dove*, and such an emblem was doubtless held in the reign of Edward the First to be appropriate to his *saintly* character, as well as to the personal reputation that he bore in the pages of the chroniclers.

In regard to this and similar shields of arms, it is to be considered that monasteries assumed armorial shields at an early period,—how

<sup>1</sup> Engraved in Ackermann's Westminster Abbey, and in the History of Westminster Abbey by Neale and Brayley.

early we are not prepared to say, and such arms were usually either the actual or the supposed arms of their founders or their patron saints. We read of many banners of saints,<sup>1</sup> used in armies, and probably in high estimation as exercising a tutelary influence. The tenants by military service of the cathedral and monastic churches marched under the banner of St. Peter, or St. Cuthbert, or St. John of Beverley. King Edward the First carried in his host the banners of St. George, St. Edward, and St. Edmund, and placed them all on the turrets of the captured castle of Carlaverock.

The armorial coat named after Edward the Confessor is in fact that of the Church of Westminster: it is a coat designed in memory of the Confessor, not one that he actually bore himself. The birds in it are usually blasoned as martlets: but Froissart has preserved this blason (temp. Ric. II.): *Une croix potencée d'or et de geules*<sup>2</sup> *a quatre columbs blanc au champ de l'escu*—"four doves," not five martlets; and doves we believe they originally were, the emblems of grace and

sanctity.<sup>3</sup> It corresponds very closely to the shield given for Saint Cuthbert at Durham, where the cross was surrounded with lions, as was the plain cross of St. Oswald of Nostell.<sup>4</sup>



SAINT CUTHBERT.

We said before all we had to say on the supposed derivation of Edward the Confessor's shield from one of his coins,—one type only among twelve others totally different: except that we passed unnoticed a remark of Mr. Ellis (p. 157), that "the source of the device is evidently a strikingly similar one, used by one

<sup>1</sup> See the paper "On the Banners used in the English army," by Sir Harris Nicolas, in the first volume of the *Retrospective Review*, New Series, 1827.

<sup>2</sup> The field of the Confessor's arms is usually blasoned Azure, not Gules; and so it appears on an ancient shield formerly in St. Stephen's Chapel, engraved in Smith's *Antiquities of Westminster*, p. 237. (This is quoted by Mr. Ellis at p. 155, but mistakenly as stained glass.)

<sup>3</sup> As on the royal sceptre surmounted by a dove. Mr. Willement, when describing the architectural shield of the Confessor in Westminster Abbey (in *Rolls of Arms of the Reigns of Henry III. and Edward III.* edit. Nicolas, 8vo. 1829, p. 45), remarks that its martlets are "not as the martlet is now represented, but with beaks, legs, and long tails." Their number, however, is properly five, one being placed at the foot of the shield, under the cross.

<sup>4</sup> See in our vol. ii. p. 192, the shield of Saint Cuthbert of Durham and that of Saint Oswald of Nostell compared; and we are happy to announce that our readers may look forward to a further elucidation of the Crosses of those two great Northern Saints from the pen of our able correspondent Mr. Dyer Longstaffe.

of the cohorts in the fifth century, the Constantiani, which might also have been impressed upon coins." This latter device (shown by Mr. Ellis in his Plate VII. fig. 8) consists of a sort of wheel-cross with a bird in each of its four quarters. Mr. Ellis must be content that we should regard this as only an accidental coincidence or resemblance between the designs of distant ages: and just so with the saltire between four mullets which he exhibits in his Plate II. fig. 12, from the reverse of a coin of Italia, and has already alluded to in the note (p. 160 *antea*) of his present letter; as with the three united human legs, like the three legs of the Isle of Man, depicted on a Greek vase, Plate XI. fig. 11. To attempt to trace any actual descent, derivation, or even imitation in any of these cases is manifestly absurd.

2. The "insignia of St. George," Mr. Ellis tells us, occur in the Bayeux tapestry. This we deny: presuming that he means by that phrase the plain red cross on a white field, which forms the only armorial insignia of St. George of which we are cognisant. Sir Harris Nicolas says<sup>1</sup> that the Conqueror's banner or gonfalon "is always (in the tapestry) painted *Argent, a cross or, within a bordure azure*, and the same charge also occurs on the mast of his ship, though in a square form." Surely Mr. Ellis cannot maintain that these are the "insignia of Saint George." But, to do Mr. Ellis every justice, let us quote

3. the whole of "the heraldic information" which he has been able to extract (p. 165) from the Bayeux Tapestry:

Plate II. The four knights who captured Harold by order of Guy Count of Ponthieu have four shields; on two is a dragon, on another a cross, and the other exhibits a bordure invecked.

Plate III. Two messengers (*nuntii*) of William on horseback bearing shields with dragons.

Plate IV. *Willielmus Dux Normannorum* attended by a knight on horseback with a dragon on a shield, and two others with plain shields bordured. In another place William is attended by guards, the foremost of whom bears a shield with a cross and others behind plain shields bordured.

Plate V. A warrior on horseback of William's party has a shield with a saltire; another a cross patée.

"The banner of the Norman army is invariably *argent, a cross or* [*? gules*] *in a bordure azure*. This is repeated over and over again. We meet with it in the war against Conan, as well as at Pevensey and Hastings."

"In the Tapestry Harold's standard is a dragon. Wace does not describe it, but says his gonfalon was a noble one, sparkling with gems and precious stones."

Plate VI. Conan surrendering the keys of Dinan to William's chiefs, who are on horseback with shields; the foremost has a cross patée, the other two a cross *ut ante*

<sup>1</sup> *Retrospective Review*, 1827, N.S. i. 91.

gules on a white field, perhaps the cross of St. George so often appearing. In Plate IX. it is so exhibited; in other plates the colours are different.

Plate XIII. Under *Iste nunciat Haroldum regem de exercitu Willielmi ducis*. Here the scout of the Saxon army has a shield bezantée, whilst Harold, to whom he is bringing news, has a shield almost exactly similar, both kite-shaped.

Plate XV. Three Saxons on foot with lances and shields; five roundels on the latter saltier-wise.

Plate XVI. Normans with shields bezantée. Four Saxons on foot with a cross *ut ante*, fighting a Norman with a dragon on his shield. Harold himself has a cross on his shield.

Plate XVI. "Harold, first of all, appears standing by his standard (the dragon) contending with a horseman, who is making a rush at him as at Dinan," where two of the combatants have each a shield with a saltire.

Plate XIX. Saxons on foot resisting attack of cavalry of Normans; of the former, the two foremost bear a cross *ut ante*; others, bezantée kite-shaped shields. Also Saxons on foot with circular bucklers, a bordure bezantée, fighting with Normans on horseback, having bezantée shields.

Now, what we say to this "heraldic" review of the Bayeux Tapestry is this, that Mr. Ellis has scarcely made the most for his own argument, inasmuch as he has omitted the colours or "tinctures," upon which armorial distinctions so materially depend. The words he quotes under Plate V. are Dr. Bruce's, but the [*? gules*] is his own. Dr. Bruce had described the banner correctly, and in the same terms as we have already quoted from Sir Harris Nicolas. But what can Mr. Ellis mean (under Plate VI.) by "the cross of St. George so often appearing," when, instead of a red cross only, the crosses are admittedly of various "different colours"? A *red* cross, which is the distinctive Cross of Saint George, occurs *only* in that scene of the tapestry represented in Dr. Bruce's Plate IX. Plate XI. of the *Vetusta Monumenta*.

An examination of Stothard's accurate plates does not corroborate the assertion of Dr. Bruce as to the "invariable" appearance of "the banner of the Norman army." Nor are the repetitions discovered by Sir Harris Nicolas confirmed. In short, Mr. Ellis has been misled; he should have looked for himself. But he has been misled chiefly by his own imagination; for, even had the statements of Nicolas and Bruce been correct, they would have proved just *nil* for the "insignia of Saint George."

The three knights recipient of the keys of Dinan, so far from bearing (any of them) the cross of St. George, have shields which, if they must be described heraldically, are: 1. Argent, a cross flory, its central ring green, its leaves yellow; 2. Argent, a cross (if it must be so described) so very unlike the plain cross of St. George, that it is of the irregular

twisted shape<sup>1</sup> which is of continual occurrence in the tapestry, its four limbs green, and coming forth from a circular boss or umbo; 3. the like description applies to this, but the field is green, the boss red, and the four limbs yellow. Besides these figures every one of the three shields is further decorated with a number of pellets or spots irregularly disposed—possibly representing the mode by which leather was fastened on the surface. Can anything be conceived more different from the armorial shields of two centuries after? or of any earlier date when armorial bearings had really been adopted? As to the “saltires” afterwards mentioned, we need only add that they are exactly the same eccentric figure of ornament which is previously called a cross, but regarded from another point of view.

So much for the resemblance of the banners and shields in the Bayeux Tapestry to heraldic charges; and we need only add, in regard to the colours in which they are worked, and which, be it remembered, are carefully shown in Stothard's plates in the *Vetusta Monumenta*, it is perfectly evident that throughout they are arbitrary, and are varied like the colours of the horses, some of which have manes of three different colours, and their near and off legs are usually violently contrasted—one perhaps yellow, the other green—a course apparently taken to give the idea of shadow.

The unavoidable conclusion is, that the Bayeux Tapestry may be taken as evidence of the forms and patterns of shields and gonfanons used at the period of the Conquest, or within the ensuing half-century, during which the tapestry is presumed to have been wrought; but it no further supports the existence of heraldic insignia in the eleventh century, than it proves the contemporaneous existence of the chassepot rifle.

Mr. Ellis persisting in his views, in defiance of the recorded opinions of his less imaginative predecessors, we can scarcely hope to convince him of the contrary; but, as a guide to other inquirers, it may not be useless to recall former judgments on this question.

And first Dallaway, who, in his *Heraldic Inquiries*, now nearly eighty years ago, first endeavoured to introduce something like common-sense and true archæological criticism into the mysteries of “heraldry.” He notices that the warriors of the Bayeux tapestry

bear shields which the advocates for the earlier introduction of heraldry adduce as an instance of arms coeval with the Conquest. The shape of the shields resembles the Italian cartouche much more than of those used by the Normans, being almost

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<sup>1</sup> Dr. Bruce attempts to describe it thus: “a cross, the four arms of which proceed from the central stud in a sigmoidal curve.” (*Bayeux Tapestry*, p. 102.)

oval, and sharply pointed at the base; and the figures, though varied, are not armorial but emblematic, or more probably the conceit of the artist.

“Not armorial but emblematic” is here, it must be admitted, a very ambiguous phrase; and we see good reason to suspect an error in the correction of the press, and that Dallaway,—an author as careless in minute accuracy, as he was intelligent and tasteful, really meant, in consistence with the general scope of the passage, that his words should have appeared thus,—“not armorial *or* emblematic, *but* more probably the conceit of the artist.”

Mr. C. A. Stothard, who drew the Bayeux tapestry for the *Vetusta Monumenta* of the Society of Antiquaries, and studied all its features deliberately, made these remarks<sup>1</sup>:—

The figures on horseback, where Harold is seized on his landing in the territory of Wido, bear on their shields various devices, but none which may properly be termed heraldic. Neither here nor in any other part of the Tapestry is a lion, fess, chevron, or other heraldic figure to be found; they are almost entirely confined to dragons, crosses, and spots. Nor do we find any particular or distinguished person twice bearing the same device. The pennons attached to the lances of the Normans are similarly ornamented, with this exception, that they bear no animals.

Mr. Planché, in his *History of British Costume* (1834), writes to the same effect; and next, Mr. Lower, in his *Curiosities of Heraldry* (1845):—

A proof that regular heraldry was unknown at the Conquest is furnished by that valuable monument the Bayeux Tapestry. . . . . In these embroidered scenes neither the banner nor the shield is furnished with proper arms. Some of the shields bear the rude effigies of a dragon, griffin, serpent, or lion, others crosses, rings, and various fantastic devices; but these, in the opinion of the most learned antiquaries, are mere ornaments, or at best symbols, more akin to those of classical antiquity than to modern heraldry. Nothing but disappointment awaits the curious armorer who seeks in this valuable memorial the pale, the bend, and other early elements of arms.

The author of the *Oxford Glossary of Heraldry* (1847) gave his opinion thus decidedly:—

Most of the arms attributed to personages of this era (the Conquest) appear to have been either first borne by some of their descendants, or invented by heralds of subsequent times. \* \* \* That arms were not borne at the time of the Conquest may be inferred from the absence of everything of the kind in the Bayeux Tapestry, as well as in all seals, coins, and tombs of the era. (p. vii.)

Mr. Planché, in his *Pursuivant of Arms* (1852), remarks,—

Previous to the twelfth century we read (only) of “white shields” and “red shields” and “gilded shields.” In Sæmund’s Edda mention is made of a red shield with a golden border. The Encomiast of Emma speaks merely of the glittering

<sup>1</sup> Archæologia, vol. xix. p. 188.

effulgence of the shields suspended on the sides of the vessels of Canute. In the Anglo-Saxon illuminations we perceive the shields of warriors generally painted white, with red and blue borders and circles: on those of our Norman invaders, as represented in the Bayeux Tapestry, a work, at the earliest, of the close of the eleventh century, we find crosses, rings, grotesque monsters, but nothing approaching a regular heraldic figure, or disposition of figures.

Some of the *standards* (Mr. Planché admits in a note) are striped and spotted in a fashion which may have originated the pales, bars, and roundels of the succeeding century; but, as these devices are not repeated on any of the bearers' *shields* they cannot be considered personal insignia.

The result, "after all," as Mr. Ellis himself admits, and as he shows in his first plate, is merely that the banners of the Bayeux Tapestry exhibit a certain number of patterns resembling those afterwards called barry, paly, crosses, and roundels in armory: and which subsequently (at p. 220) he persists in terming "armorial bearings." Still he is driven to apologise (p. 166) for its being, after all,

Simply a confused armorial display. We have an indiscriminate mixture of kite-shaped and circular shields borne by both sides; and the same devices are found on the shields of Normans and Saxons. A dragon as a standard is placed by the side of Harold, and we meet with dragons on the shields of William's messengers (Plate III.) and on those of the knights of the Count of Ponthieu (Plate II.) It is evident that no attempt was made, except perhaps in a few cases, to assign to the various principal personages in the composition the arms borne by them (probably from ignorance), and that the designer was ignorant of what were the peculiar ensigns of the Saxons, but acquainted from general observation, or perhaps special instruction, with the prevailing characteristics of Norman heraldry, and delineated specimens in accordance with such general knowledge. And such vague, and perhaps fanciful representations are often inevitable where there is no special knowledge obtainable; or the subject does not admit of its application.

This we think perfectly exhausts the subject of the Bayeux Tapestry so far as "heraldry" is concerned. By Mr. Ellis's own admission it presents "simply a confused armorial display;" showing the same devices indifferently on the Norman and Saxon shields and banners. The designer was "ignorant of the peculiar ensigns of the Saxons" (if such existed), and gave "vague and fanciful representations of Norman heraldry" from want of special knowledge. Surely, in reply to such arguments, we may fairly urge the old maxim, *De non apparentibus et non existentibus eadem est ratio*.

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P.S. When Mr. Ellis asks for our "authority" for saying that "imaginary coats were invented for the Anglo-Saxon saints and monarchs," we can refer him only to the authority of common sense,

and to the analogy of such coats as those of Judas Maccabeus and his royal combatant already noticed, and those of the Nine Worthies, &c. But we cannot suppress our wonder that Mr. Ellis, in his zeal for all prehistoric and posthumous heraldry, does not proceed to vindicate the whole body of Anglo-Saxon armory, as set forth by Speed, and so fully developed on the walls of the new Houses of Parliament. Regarding it as the fanciful fabrication of a subsequent age, we have never thought this long series of devices, for they are not few in number, worthy of serious investigation; but a gentleman who believes that the Royal Saints of the Anglo-Saxon time really bore the shields attributed to them, must surely be prepared to maintain a more favourable estimate of this abundant display of Anglo-Saxon heraldry.

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ANCIENT ROLLS OF ARMS, No. II. Charles's Roll of the Reigns of Henry III. and Edward I. Edited by GEORGE J. ARMYTAGE, F.S.A. June 1869. London: John Russell Smith, 36, Soho Square. (Price Ten Shillings.) Small 4to.

We noticed in our our last volume, at p. 475, the enterprise and enthusiasm with which Mr. Armytage has undertaken to edit a series of ancient Rolls of Arms: which he commenced with the most ancient known to be in existence, that of the reign of Henry III. His zeal has in the present instance carried him onward a little too fast, as he acknowledges that he should not have adopted Charles's Roll for his second number had he been aware that it had appeared so recently as 1864, in the *Archæologia*, vol. xxxix. carefully edited by Mr. Charles Spencer Perceval, Director S.A. Still, if Mr. Armytage perseveres in the completion of his series, accompanied by a general index and review of the whole, his labour will not have been bestowed in vain.

Mr. Armytage puts forth this document under its old designation as "Charles's Roll." In the *Archæologia* it is headed "Roll of Arms formerly in the possession of Sir Richard St. George," and is called St. George's Roll. It is one of those comprised in Nicholas Charles's volume of transcripts of Rolls of Arms, Harl. MS. 6589, and he copied it in the year 1607 from the original, then lent him by Sir Richard St. George, Norroy. Mr. Armytage makes these remarks on the character of its composition and contents:

This Roll does not appear to have been made for any special purpose, nor at any fixed period; we find coats in it of persons who died even before the date of

"Glover's Roll," and yet there other coats which could not have been borne before quite the end of the thirteenth century. The general inclination is to suppose that the Roll is a collection of arms of the several Barons and Knights that came more particularly under the compiler's notice about the end of the thirteenth century. The nearest date that could be assigned to the completion of the Roll would be about 1295.

For further particulars bearing on the document Mr. Armytage refers to Mr. Perceval's able observations in the *Archæologia*, to Mr. Planché's *Pursuivant of Arms*, and Mr. Boutell's *Heraldry*, to both which latter works this roll has furnished many engravings: the original being in trick, a specimen of which Mr. Armytage presents in a photo-lithographed fac-simile, by way of frontispiece.

The Roll contains 677 shields of arms, in rows of nine each. All but twenty-three are complete as regards the names and blazon, either in Nicholas Charles's own copy, or in another transcript which is preserved in Harl. MS. 6137: and those twenty-three Mr. Armytage has appropriated to his satisfaction with the exception of these five:—

273. Eadmūd d'm . . . . .seles. *Per pale argent and sable, a fess counterchanged.*

333. Joan de S . . . . . *Sable, ten billets or, four, three, two, and one, a canton ermine.*

382. . . . . *Gules, ten billets or, four, three, two, and one, a canton ermine.*

459. . . . . *Gules billetty or, on a bend argent three escallops azure.*

The escallops are *vert* in the second copy.

461. . . . . *Argent, on a bend between six marlets gules three escallops or.*

The second, we may affirm, is Souche or Zouche. It is attributed to "Sir Walter Touk" of the county of Derby or Nottingham in the Roll of Edward II. (edit. Nicolas, p. 54):

Sire Walter Touk de'sable bilette de or, e un quarter de ermine.

The error in the initial letter is obvious. There are six others of the family of Zouche in that roll, of which we extract three in confirmation of our present suggestion:

Sire Aleyn la Souche (a Banneret) de goules besaunte de or.

Sire William la Souche (also a Banneret) meyme les armes a un quarter de ermyn.

Sire Olyver la Souche (of the county of Leicester) de goules besaunte de or a un cheveron de ermynne.

The family of Zouche derived their *Ermine* by descent from the sovereign house of Britany.<sup>1</sup>

<sup>1</sup> "All genealogists agree that this ancient and noble house descended from the earls of Britany, though they do not deduce the line of that descent in each point alike."—Banks's *Dormant and Extinct Baronage of England*, 1808, 4to. vol. ii. p. 616.

No. 382 is probably a coat of Fancourt, for it occurs again (No. 259), but with the field *azure*, for Gerard de Fanecurt, and which is repeated in the Society of Antiquaries' roll.

The fifth and last of Mr. Armytage's difficulties is answered by the following entry among the Yorkshire knights of the reign of Edward II. where the coat is followed by the very similar bearing of Wortley :

Sire Robert de Wadesle de argent a une bende e vj merelos de goules, en la bende iij escalops de or.

Sire Nicholas de Wortele de argent a une bende e vj merelos de goules, en la bende iij besaunz de or. (Roll Edw. II. edit. Nicolas, p. 62.)

We have noticed a few misprints; as, No. 104, Mandut *for* Maudut; No. 334, Wat d'euerens *for* Water d'Evereus; No. 339, Seinguintyn *for* Seinquintyn; No. 553, Waunei *for* Waunci (an error of the manuscript<sup>1</sup>); No. 569, Laurnes d' Broc *for* Laurens de Broc.

We add a few further comments :

152. . . . . Gules, a fess, in chief two mullets of six points argent.

Mr. Armytage suggests "Poher" in his note : but has omitted to fortify that attribution by Mr. Perceval's reference to the Antiquaries' Roll, No. 397. "Richard de Po(z?)e. Gules, a fess, in chief two mullets argent." The arms of Poher of Wichenford, co. Worcester, are said to have been Gules, a fess *or*, in chief three mullets argent.

279. Bartholomeu de la Ma . . . . *Barruly argent and azure, a chevron gules.*

This is attributed to Bartholomew de la More in the Society of Antiquaries' roll ; but it may perhaps prove to be De la Marche, of which we find this variety : Barry of twelve ar. and az. over all a lion ramp. gu. (Burke's *General Armory*.)

338. Iun de la Souche. *Gules, ten besants, four, three, two and one, a canton ermine.*

This is another of the great family of Zouche, of which we have already given some examples. The christian name was probably Ivo or Eudo: which was the name of the first Zouche of Haryngworth, co. Northampton, a manor which he acquired in marriage with Milicent de Cantilupe, temp. Hen. III.

Lastly, we may point out that "Joan Giffard de Bef" who bore *Gules, three lions passant argent, with a label azure*, must be meant for John Giffard of *Brimsfeld* in Gloucestershire, a well-known race of Barons, of whom the last two, both named John, died (the former) in 1299, and (the latter, beheaded) in 1322.

<sup>1</sup> See our vol. iv. p. 330.

## THE WILTES PEERAGE CLAIM.

On the 4th of May 1869, in a Committee for Privileges, a decision was pronounced by the House of Peers on this claim, which had been before them from the year 1859. It was the claim of Simon Thomas Scrope, Esq., of Danby-on-Yore, in the county of York, to the honour and dignity of Earl of Wiltes.

Mr. Fleming and Mr. Cayley appeared for the petitioner; and the Attorney-General, Sir Thomas Karslake, and Mr. Charles Clark for the Crown.

Lord CHELMSFORD said that the claimant had proved his descent as heir male general to Sir William Scrope, who, by charter, in the 21st year of King Richard II., was created Earl of Wiltes, "to have to him and his heirs male for ever." The questions which arose upon this claim were—first, whether a patent granting an English peerage to a man and his heirs male, for ever was a valid patent; and, secondly, if so, whether the Earldom granted to Sir William Scrope was not afterwards determined by attainder or forfeiture, or in some other manner. The first question was one of great interest and importance. The counsel for the claimant, indeed, contended that it was no longer open to dispute, as it had been conclusively settled in his favour by the decision of the Committee for Privileges upon the claim to the Earldom of Devon, which the present Committee were bound implicitly to follow. But he could not agree that the determination of one Committee for Privileges must be a binding and conclusive authority upon another. It might be conceded that an opinion expressed by those who were exercising a *quasi* judicial function would always be entitled to respect and consideration, but it could not claim the authority of a final decision upon any particular point of law in the same manner as a judicial determination of the House sitting as a tribunal of ultimate appeal from the judgments and decrees of the courts of law and equity. The resolution of a Committee for Privileges in favour of a claimant agreed to by the House, and communicated to the Crown, and which was followed by a writ of summons to the claimant by the title of the dignity claimed, established the right to that dignity, at all events from the date of the writ of summons, which could never afterwards be called in question; but the nature of the proceeding upon a claim to a peerage tended strongly to show that a resolution of a Committee for Privileges was in no sense a Judgment, and though admitted to be *primâ facie* valid and conclusive, yet it did

not establish a precedent which all future committees are bound to follow. The proceedings commenced with a petition to the Crown—the fountain of honour—praying for a writ of summons by the title of the dignity claimed. The petition was referred to the Attorney-General, who examined into the claim and reported upon it. Although his report might be favourable to the claimant, it was in the discretion of the Crown whether or not the claim should be referred to the House of Lords. It was the modern practice in all cases where the Attorney-General reported in favour of the claimant, to refer the matter to the House of Lords, and for that House to make an order that the petition be referred to the Committee for Privileges. Upon the hearing of the case the Committee came to a Resolution, which was reported to the House, either that the claimant had established, or that he had failed to establish, his right to the dignity claimed. The Resolutions of the Committee were merely for the information and the advice of the Crown. The Crown, although it generally acted upon, was not bound by them. It might exercise its own discretion in giving or refusing its assent to the Resolutions. That they could not be regarded as final Judgments, which, when once pronounced, must not be departed from, appeared from the cases of the Barony of Willoughby de Broke and the Dukedom of Brandon, mentioned in *Cruise on Dignities* (196 and 306). In the former of these cases Sir Richard Verney claimed the Barony of Broke as a descendant of the sole survivor of three co-heiresses of the first Baron. Upon a reference from the Crown, the House of Lords resolved that the claimant had no right to the dignity, on the ground that where a Barony by Writ descended to co-heirs, it was in the power of the Crown to hold the same in suspense or abeyance, or to extinguish it. Here was a solemn Resolution of the House upon a most important question of law, which according to the argument of the appellant, could never be reversed. But some of the peers having Baronies by Writ in them, and having only female issue, moved the House that a day might be appointed to consider the subject of the descent of Baronies of this description. The question was argued by counsel, and the Lords resolved that if a person summoned to Parliament, and sitting, should die, leaving issue two or more daughters, who should all die, one of them only leaving issue, such issue had a right to demand a summons to Parliament. Upon this Resolution Sir Richard Verney again petitioned the King for the Barony, and his petition being referred to the House of Lords, it was resolved that he should be heard upon the new matter. Against this

Resolution a Protest was entered, and signed by ten Peers, one of the grounds of dissent being alleged in these terms,—“Because we conceive it may tend infinitely to prejudice the judicature of this House, and to shake the security that all subjects have by the judgments of this great Court, if the Lords shall permit judgments once given in so solemn a manner to be reviewed.” It was observed by Mr. Cruise that this reasoning was fallacious; for in cases of this kind the Lords had no judicature and did not pronounce any Judgment, but only certified their opinion to the King. The claim of Sir Richard Verney having been argued, it was resolved that he had a right to the writ of summons, and thus the Resolution of the Lords upon the second reference was directly contrary to their former one.

The Brandon case was, perhaps, a more striking instance than the former of the disregard of a Resolution of the House of Lords upon a question of law. In 1711 the House of Lords, without any reference from the King resolved that the Crown could not, after the Union with Scotland, confer an English dignity on a Peer of Scotland, and upon that ground refused to admit the Duke of Hamilton, who had been created Duke of Brandon in England, to take his seat in the House by the latter title. In 1719 the House, upon a reference from the Crown, resolved that the Earl of Galloway, on whose father the English dukedom of Dover had been conferred, had no right to a writ of summons as Duke of Dover upon the same ground. But after these two Resolutions, in 1782—the claim of the great-grandson of the Duke of Hamilton, whose claim was rejected in 1711, having been referred to the Lords, the House resolved that the claimant was entitled to the Dukedom, in direct contradiction to their former opinions.

Therefore it must be taken that if the House of Lords, as a court of final appeal, should decide erroneously upon a question of law, their error must be corrected by the interference of the Legislature. But if the opinions expressed by one Committee for Privileges were to be binding upon all that followed, and, to use the words of Lord Eldon, a Peer should be created by mistake, it was not easy to see the way to the sort of corrective legislation which could be applied, and an error once committed must be perpetuated to all future time in the advice given by the House to the Crown upon the claim to dignities of a similar description. Upon these grounds it appeared to him that the advice given to the Crown with reference to the claim to the Earldom of Devon, could not have the effect of preventing the inquiry by this

Committee into the validity of the limitation of the dignity now under consideration.

There was no reason to suppose that there was any mistake in the wording of the patent of creation of the Earldom of Wiltes. Was, then, the patent with its limitations valid, or altogether void? or good for the grantee's life, and void for the rest? The Crown might undoubtedly create Peerages with every sort of limitation which the law recognises. It was even said that a man might be ennobled during the life of another, or for years; but such grants could hardly be maintained, and were, at all events, not likely to be made. In considering the patent of creation of this Peerage, he would assume that it was in entire conformity with King Richard's intentions, and that he had every motive for creating the dignity with the peculiar limitations assigned to it. The question then presented itself whether it was competent to the Crown to give a dignity a descendible quality unknown to the law, and thereby to introduce a new species of inheritances and succession. The question put in that way seemed to answer itself. The Crown could have no such power, unless there was something so peculiar in a dignity so entirely within the province of the Crown to mould at its pleasure that a limitation void as to every other subject of grant was good and valid in the creation of a Peerage. It could only be after his death, and if a successor appeared to claim the title, that an objection to the extension of the dignity beyond the life of the original possessor could possibly arise. With regard to the dignity now in question, more than four centuries and a half had elapsed from the death of the grantee and sole possessor of the title without any person asserting a claim to it, although for nearly the whole of that long period there had been no impediment to any one really entitled coming forward and establishing his right. Much discussion arose as to whether the Earl of Wiltes had committed treason, and thereby forfeited his dignity; but he thought that of treason, strictly so called, the Earl could not have been guilty, because he was put to death while Richard II. was still Sovereign, to whose cause he adhered to the last. That William le Scrope had borne the title of Earl of Wiltes there could be no doubt. The question was, whether, at all events, it did not end with his life. From the time of the death of the Earl to the present claim, as already observed, not the slightest recognition of the title had ever occurred. The only possible way of accounting for this was the belief of those who would have been entitled to succeed that no right of succession remained.

It seemed to him that it would be improper for this Committee, in the obscurity which surrounded the proceedings, to conjecture that in the forfeiture of everything belonging to the Earl of Wiltes which was left to forfeit, his Earldom was spared and permitted to continue as an hereditary dignity. He should have been prepared to decide against the claim upon that ground, even if he had thought the grant of the title in succession was originally valid; but he felt bound to state the opinion to which, after an anxious and careful consideration, he had been led—that whatever might have been the right to the Earldom of Wiltes of William le Scrope during his life, yet, as the prescribed course of succession was now unknown to and unsanctioned by the law of England, and which nothing but an act of parliament could establish, the Earldom of Wiltes ceased to exist, at all events upon the death of William le Scrope, and the claim of a right of succession to the dignity necessarily failed.

LORD REDESDALE said that, after a careful consideration of the evidence, it appeared to him that this claim must be considered as already *res judicata*. There was a decision in the first year of the reign of Henry IV., which could not be held to be less than a judicial decision of the highest court in the realm, and it affirmed that the proceedings against Scrope, Green, and Bussy were good. As regarded Scrope, it invoked the decision as to whether he was rightly tried and convicted with the others as a commoner. It could hardly be doubted that when arrested he claimed, as Earl of Wiltes, to be tried by his peers, and this was refused. That he was held to be a commoner was clearly proved by his being called William le Scrope throughout these proceedings, and all the collateral evidence showed that this must have been on account of the invalidity of the original grant. The Lords Temporal were asked to affirm the proceedings, which they did unanimously, and thereby declared that William le Scrope was rightly tried as a commoner, which could only be because they held that the grant of the Earldom of Wiltes was void *ab initio*. It appeared to him impossible to pass over this record without determining why William le Scrope was not therein recognised as Earl of Wiltes. The attention of the counsel for the claimant had been particularly directed to the point, and he failed altogether to give any satisfactory explanation of it. It appeared to him, therefore, that the invalidity of the grant was then decided, and that whether that decision was right or wrong, whether formal or informal, according to our present notions, it would be a most dangerous precedent if this Com-

mittee should determine that a decision as to the validity of a Peerage come to by the House between four and five centuries ago, and acquiesced in by the person who could have then claimed it if rightly granted, might now be disputed and set aside.

Lord COLONSAY having concurred,

The Committee resolved that the claimant had not established his claim.

On the 6th of May the Report of the Committee of Privileges was considered; when, on a motion that it should be received, the Duke of Cleveland moved an amendment, "That the Petition of the Claimant be referred back to the Committee, in order that the same may be reheard." The noble Duke objected to the Report because it contravened the decision given in the Devon case in 1831, and because several peers who heard the argument had not concurred in the decision. The Lord Chancellor (Lord Hatherley), after making some remarks in reply to the former objection, and on the general bearings of the question, stated (with regard to the Law Lords) that that the late Lord Wensleydale did not hear any part of the argument, that Lord Westbury heard only just the commencement of it, and that Lord Cranworth, who heard it, was deceased. "Three (Law) peers were still living out of the four who heard the argument, and they concurred in the judgment, while there was no reason to suppose that Lord Cranworth would have taken a different view. Under these circumstances it would be taking a very unusual and very inconvenient course to rehear the case."

The Report was thereupon received.

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The following Protest was afterwards entered on the Journals :

DISSENTIENT :

1. Because the Resolution of the House is opposed to the decision in the Devon case in 1831, a decision accepted and acted on by the Crown.
2. Because King Richard was in full possession of the royal authority at the time that the dignity of Earl of Wiltes was created.
3. Because the proceedings relied on as affecting the rights of the heirs male of the Earl of Wiltes were all taken at a time when no lawful or legal government existed in England, and that the subsequent proceedings in the parliament of Henry IV. had in no manner purported to affect, or could in law affect, the dignity of the Earl of Wiltes.

(Signed) NORFOLK, E.M. GAINSBOROUGH. ABERGAVENNY. ZETLAND. FAVERHAM. WENLOCK. BROOKE AND WARWICK. COLVILLE OF CULROSS (for 1st and 2nd reasons). DENBIGH. GRANARD. WENTWORTH. HOUGHTON.

## NOTE.

THE peerage thus claimed was conferred under extraordinary circumstances, and forfeited under circumstances as extraordinary; but we can scarcely regard as a less extraordinary incident than either that, having actually existed for only two years, it should have been the subject of a formal claim and adjudication after the lapse of nearly five centuries.

Sir William Scrope the grantee was one of the most influential ministers of the latter years of King Richard the Second: not a mere court favourite, like the Earl of Oxford, who was made Marquess of Dublin and Duke of Ireland by his royal master, but an administrator of ripe age and experience, the representative of a family long distinguished by their judicial eminence.<sup>1</sup> His father, Sir Richard Scrope, Lord Scrope of Bolton<sup>2</sup>—who was still living when the Earldom was conferred, and during its existence, had been in his day a statesman of much importance. First summoned to parliament in 1371, he was for that and the four following years Treasurer of the King's Exchequer. At the accession of Richard II. he became Steward of the King's household; and he subsequently held for two periods the high office of Lord Chancellor.

But his son Sir William Scrope, who had passed his younger years on the continent as Seneschal of Aquitaine, did not become a courtier until some ten years after his father's second tenure of the Great Seal. It was in the year 1392 that he was appointed Vice-Chamberlain of the King's household; in 1395 he was Chamberlain. His influence during these years had been evidently culminating, until in the summer of 1397 he was able to assist materially in promoting an appeal of treason successfully against the King's uncle the Duke of

<sup>1</sup> The history of the family of Scrope was written with the utmost care and completeness by Sir N. Harris Nicolas as part of his unfinished work on *The Scrope and Grosvenor Controversy*, 1832. We may mention that many of the testamentary records of the family have subsequently been published in the *Testamenta Eboracensia* of the Surtees Society, of which the IVth Volume has just been issued.

<sup>2</sup> We may notice, in passing, the inaccurate manner in which the Earl of Wiltshire is distinguished in Courthope's *Historic Peerage*, as "bro. of Stephen 2nd Baron Scrope of Masham." This perhaps was originally an error for "bro. of Roger 2nd Baron Scrope of Bolton:" for genealogists have generally, but mistakenly, regarded him as a younger brother. But Sir Harris Nicolas, in his *Scrope and Grosvenor Roll*, showed him to be the eldest son: which indeed is manifested by the label borne on his seal of arms as a difference. The words in the *Historic Peerage* ought to be altered to "son and heir apparent of Richard 1st Baron Scrope of Bolton."

Gloucester and the Earls of Arundel and Warwick, whose power had hitherto been predominant during Richard's reign. Gloucester was suffocated in prison, Arundel beheaded, and Warwick banished to the Isle of Man, of which Scrope had by purchase become the lord and titular "King."

The degradations of this great political crisis were attended by elevations on even a larger scale. In the place of the murdered Duke five new Dukes were created, with one Marquess, and four Earls.<sup>1</sup> Among the last was the Lord Chamberlain Sir William Scrope, who was then made Earl of Wiltshire, and he received his patent of peerage with this special favour, that the remainder was extended to his heirs male whatsoever,—*sibi et heredibus suis masculis imperpetuum*, whilst in all the other creations the succession was limited as usual to the heirs male of the body of the grantee. The reason of the distinction is obvious: Scrope had no son, but he had three brothers, any one of whom might eventually succeed to their father's Barony. Moreover, after them his next heir male was the Lord Scrope of Masham, whose brother the Archbishop of York was the great ecclesiastical partisan of the same political faction.

<sup>1</sup> The Dukes were all members or quasi-members of the Blood Royal: viz. 1. Henry Earl of Derby (afterwards King Henry IV.) son and heir apparent of the Duke of Lancaster, made Duke of Hereford; 2. Edward Earl of Rutland, son and heir apparent of the Duke of York, made Duke of Aumerle; 3. Thomas Earl of Kent, the King's elder half-brother, made Duke of Surrey; 4. John Earl of Huntingdon, his younger brother, made Duke of Exeter; and 5. Thomas Earl of Nottingham and Earl Marshal, the grandson and representative of a younger son of King Edward I. made Duke of Norfolk. The new Marquess of Somerset was an illegitimate scion of the Royal Blood, being the eldest son of the Duke of Lancaster by Katharine Swinford, and progenitor of the long line of Earls and Dukes of Somerset and Dukes of Beaufort: this being only the second instance of the dignity of Marquess being conferred in England, and but recently exemplified in the King's favourite the Earl of Oxford, who had been made Marquess of Dublin. The four Earls were, 1. Thomas Lord le Despencer made Earl of Gloucester; 2. Ralph Lord Neville made Earl of Westmerland; 3. Thomas Percy made Earl of Worcester; and 4. William Scrope made Earl of Wiltshire: of whom the first was brother-in-law to the Duke of Aumerle; the second brother-in-law to the Marquess of Somerset; and the third a cousin-german through his mother to the late Duchess of Lancaster. Scrope alone had no claims of the highest aristocratic birth. Among these ten promotions were included all the eight appellants in the recent appeal of treason, except John Earl of Salisbury: he had only a few months before succeeded to that Earldom on the death of his uncle. Of all the ten new dignities only two were allowed to stand after the accession of Henry IV. namely, the Earldoms of Westmerland and Worcester, and one of them expired on the death of the Earl of Worcester fighting against his sovereign at Shrewsbury only three years after.

The Earl of Wiltshire's high fortunes were not yet complete: he was shortly after elected a Knight of the Garter, and in 1398 was made Treasurer of England, and so he continued until the fall of King Richard.

Upon the triumphant invasion of Henry of Bolingbroke the Earl of Wiltshire, who had fled for defence to the castle of Bristol, was there seized, and, after short if any trial, was beheaded, together with Sir Henry Green and Sir John Bussy.<sup>1</sup> All these victims of the revolution were declared attainted by Henry the Fourth's first parliament, and we may be sure that if any idea was distant from the minds of the members of that parliament, it was that such attainder was ineffectual. It is true that there was a statute already existing "that none should forfeit after his death;" but an act of parliament could contravene that statute, and the King graciously declared that the present contravention took place because the attainted persons "were judged and convicted in their lifetime" (this at least was assumed to have been the fact),—that it was in fact exceptional, and that the statute should remain in force; "upon which (it is added in the roll of parliament) the said Commons thanked the King for his just judgment, and God for having given them such a King and Governor."

Richard Lord Scrope, the father, then an old man of about seventy-two, being present in parliament on this occasion (19 Nov. 1399), rose with great humility, and, weeping bitterly, prayed the King that nothing which might be done in that parliament might produce the disinheritation of himself or of his children. He was asked "If the arrest and judgment were good or not?" to which he replied that he could neither see nor say anything against the said proceedings, but admitted that they were proper, and for the advantage of the King and the realm: and that his son was one of the offenders, which he deeply lamented. His submissive apology was accepted, and the King told him that he did not wish to have any of the lands which belonged to him or to his children then living, but that he then considered him, and had always deemed him, a loyal knight.

<sup>1</sup> Sir Harris Nicolas, in his memoir of the Earl, represents his death as a "sacrifice to popular fury," following the expression of Otterbourne that the Earl and his companions were beheaded without trial, about September 1399, "ex clamore importuno vulgi et comitatus, ut hostes regni." Mr. Beltz (*Memorials of the Garter*, p. 351), following the *Chronicle of London*, is far more precise: he says that the castle of Bristol was besieged by Henry of Lancaster on his way towards Wales; it surrendered on the 29th of July; and the Earl, Bussy, and Green were beheaded on the next morning. It was, therefore, the act of Henry himself, and he was prepared to maintain its justice.

The promise thus given was kept to the house of Scrope, of which there were afterwards ten other Barons in succession, the last of whom was created Earl of Sunderland in the reign of Charles the First. Not one of these, however, we may be sure, ever dreamed of claiming the dignity of Earl of Wiltshire, which was conferred by successive monarchs on five different occasions on the several families of Butler, Stafford (twice), Boleyn, and Paulet, by the last of which it is still possessed, and has been for three hundred and twenty years.

What, then, with wonder it may be asked, can have suggested to any one to advise Mr. Scrope of Danby to claim this peerage, or what can have tempted him to listen to that suggestion? The answer seems to be simply this: some forty years ago the Viscount Courtenay claimed the dignity of Earl of Devon, and was successful. There was an apparent similarity in the two cases—the Earldom of Devon had been granted to heirs male whatever; it was recovered after having been lost to the Courtenays for nearly three centuries, though the title had since been enjoyed by other families, and though there was already an Earl of Devonshire (merged in the higher title of Duke). If an Earl of Devonshire and an Earl of Devon might sit together in the House of Peers, why might there not also be an Earl of “Wiltes” as well as an Earl of Wiltshire? The orthography of Wiltes may be somewhat of an archaic affectation, to be sure: that, however, would perhaps be no objection, but the reverse in lending a charm to the title, and it would be convenient by way of distinction. And so the claim was advanced, with the result we have already described, and now those who had relied on the case of the Earldom of Devon as a precedent, are ready to exclaim against the presumed inconsistency of the present decision; but there was really a very great difference between the two peerages. Whilst the only Scrope Earl of Wiltshire held his dignity for two years, ten Courtenays had held the Earldom of Devon for four distinct periods during more than two hundred and sixty years.

As a matter of convenience, it may be said, the Viscount Courtenay of the year 1831 relied upon the patent of Queen Mary (1553) by which his ancestor Edward Courtenay had been by a fresh creation restored<sup>1</sup> to the dignity of Earl of Devon, to hold to him *et hæredibus suis masculis in perpetuum*; but his ancestral claim was the same to the original Earldom created in 1335 (indeed we may say then only

<sup>1</sup> In the same way, in 1392, when the Earldom of Oxford was restored to the Veres—a family in which it had then already subsisted for two centuries, it was restored to Aubrey de Vere and his heirs male. (See further remarks hereafter, p. 189.)

confirmed, as having been derived by inheritance from the former race of Redvers, upon whom the Earldom was first bestowed by King Henry I.) and the Crown might at its pleasure have restored this long-enduring dignity by the reversal of the former attainders under which the Courtenays had for a time been dispossessed of it,—in 1461, in 1504, and in 1539. But the new creation of 1553, with its large remainder, offered the clearest and readiest mode of procedure: it was in effect a restoration of the ancient Earldom (though with later precedence), and the remainder *hæredibus suis masculis in perpetuum* was the recognition of its being so, and all that could be desired. The restoration of a long and ancient line of Earls was accomplished: an object in comparison with which a restoration of “the Earldom of Wiltes” of the years 1397-99 assumes the most diminutive proportions. All that can be said is, that the remainder expressed by the patent granted to Sir William Scrope was in similar terms, but to restore the validity of that patent it would be necessary to reverse the acts of the parliament of 1 Henry IV.

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## REVIEW.

A Dissertation on the history of Hereditary Dignities, particularly as to their course of Descent, and their forfeiture by Attainder, with special reference to the case of the Earldom of Wiltes. By W. F. FINLASON, Esq. barrister-at-law, Editor of “Reeve’s History of the English Law.” London: Butterworths, 7, Fleet Street, Law Publishers to the Queen’s Most Excellent Majesty. 1869. 8vo. pp. vi. 110.

We have in the preceding pages given the history of the recent claim to “the Earldom of Wiltes,” and a report of the decision passed upon it by the House of Lords through the mouths of Lord Chelmsford and Lord Redesdale. We have also noticed that some other members of the House of Peers were disappointed in their expectations by the view taken by the Law Lords, and in consequence entered a Protest against it. They relied on the terms of the remainder of the patent, and upon the presumed precedent of the Earldom of Devon; and they further disputed the legality of the condemnation of the Lord Treasurer, and even the proceedings of the parliament of 1 Henry IV. Influenced no doubt in part by private and neighbourly regards, they had entertained a friendly hope for the success of Mr. Scrope, and they could not restrain an expression of their disappointment. Beyond that, it can scarcely be imagined that their Lordships had any further

motive, for it cannot be supposed that they would wish to establish, or materially extend, the principle that the remainders of Peerages should be open to heirs male whatsoever.

But the author of the small volume (or bound pamphlet) before us has taken up the question professedly on public grounds, instigated only by sentiments of professional indignation at the decision of the House of Peers.

When the decision of the Committee of Privileges on the claim of the Earldom of Wiltes appeared, he was engaged on the history of the period to which it related, and he was startled by its apparent opposition to the authorities he had been consulting. The decision came in effect to this : that a Peerage *could not be granted to heirs male* ; and that a Forfeiture, by attainder, might be *presumed*, after an illegal execution by a man who stands himself attainted as a traitorous usurper.

Provoked, as he says, by these propositions, Mr. Finlason, being surveyor for the time being of the *History of English Law*, comes forward as a voluntary champion, to retrieve the lost claim to the Earldom of Wiltes, upon which, he takes the freedom to assert, in the concluding passage of his book, that the decision of the House of Lords "cannot possibly be final."

Now, we have read Mr. Finlason's dissertation with attention ; and, so far from agreeing with him, we are of opinion that his views have been adopted in a very hasty and inconsiderate manner.

To take the historical portion of the subject first. We have already detailed its main incidents in our previous article. Executed at Bristol in July 1399, whilst Richard the Second was still King of England, the Earl of Wiltshire, as it has been generally accepted, was attainted by Parliament in the following November.

Mr. Finlason asserts that there was no actual Attainder passed in the parliament of 1 Hen. IV., but it must be admitted that there were other proceedings tantamount in effect, and that they were acquiesced in by the parties immediately concerned. When Mr. Finlason refers to Henry of Bolingbroke (Duke of Hereford, or Lancaster, or by whatever other title he might designate himself at the time of the execution of the Earl of Wiltshire), as "a man who stands himself attainted as a traitorous usurper," the allusion is so obscure that it will not be understood without explanation. Mr. Finlason makes it out thus : on the accession of Edward of York in 1460, Henry the Fourth was declared by act of parliament to have been a usurper and traitor ; "all" his acts and those of his two successors were annulled and avoided, but with very large exceptions ; among those exceptions were all creations of nobility, but not (says Mr. Finlason, p. 80) "deprivations or

forfeitures of peerages." In 1 Hen. VII. all acts of attainder made against King Henry VI. were repealed, but "there was no repeal of the attainder of Henry IV. who, *therefore*, stands on the roll's of parliament attainted as a traitorous usurper." Such is Mr. Finlason's discovery, "remarkable," if true; but all we can say to it is, that if it was not thought worth while in the 1 Hen. VII. to move the question whether Henry the Fourth had been King *de jure* or merely *de facto*, so it is surely out of date in the 33 Vict. to attempt to reverse the acts of the parliament of 1 Hen. IV. As Lord Redesdale justly remarked, the matter is *res judicata*, a matter upon which judgment was passed 470 years ago.

We cannot coincide in the accuracy of the view taken in the Lords' Protest, that "the proceedings in the parliament of Henry IV. had in no manner purported to affect, or could in law affect, the dignity of the Earl of Wiltes." They affected that dignity, as Lord Redesdale remarked, by treating "William le Scrope" as a commoner throughout. The dignity was evidently regarded as annulled: it was abandoned, as the five contemporary dukedoms and the marquisate were by the parties most interested, and this determination was "acquiesced in by the person who could have *then claimed* it if rightly granted." Whether "the grant of the Earldom of Wiltes was void *ab initio*," because of its peculiar remainder, which is Lord Redesdale's view, is a separate question. We cannot think it was either void or illegal, because William le Scrope was actually a lord of parliament for two years as Earl of Wiltshire: but it was certainly regarded, without remonstrance, either as forfeited, or as extinct by the death of the grantee without children, in the parliament of 1 Hen. IV.

In a note in p. 55 Mr. Finlason goes so far as to maintain that—

At the time that Henry summoned his first parliament, after gaining by a trick and a surprise an uncertain and disputed and disturbed possession of the crown, he was not *de facto* sovereign, certainly not *de jure*; and the pretended parliament he assembled, was not, for a reason pointed out by all historians, a real or lawful parliament, because the commons were not returned or elected, but those who had already been returned, and who, no doubt, were known to be the usurper's creatures, were ordered to sit again. This, it is obvious, was no real parliament, and it was at this pretended parliament the only proceedings took place as to the Earldom of Wiltes.

The extravagance of such a line of argument is evident. As to the King's own right as sovereign, whatever his previous pretensions were, it had unquestionably been confirmed by his coronation, which was all-important in those days: he occupied the place of the deposed Richard of Bordeaux as a "King anoynted, coroned, and consecrate."

And to take exceptions against the validity of the parliament, though summoned by the actual sovereign, because it was not newly elected, but had been already constituted during the reign of the superseded government, is an objection that will be readily overruled. The convention parliaments of 1660 and 1688 have since gone over the same ground, and a convention parliament in case of the demise of the Crown is now the recognised law of the land.

We need not say more regarding the "Earldom of Wiltes." But as the question has led Mr. Finlason to consider the whole subject of "HEREDITARY DIGNITIES, *particularly as to their course of descent*:" and, as he has in some extraordinary way been led to take a very perverted view of such matters, we are required to add some further remarks.

Mr. Finlason asserts in his Preface that "the limitation of Peerages to heirs male was actually the original and proper mode of limitation;" in p. 5 he assumes—that ancient Earldoms would "neither be divided, nor descend to female heirs, but would descend to male heirs, and consequently, on failure of heirs male lineal, would descend to heirs male collateral;" in p. 6 he maintains that Earldoms, and all great Baronies, being held by military service, "would naturally not descend to females, but rather, on failure of lineal male heirs, to *collateral* male heirs;" and the same proposition is reasserted in the same page, and again in p. 7. But the most extraordinary feature of Mr. Finlason's composition is this—that the notes to these identical pages all contain examples, not affirming, but contradicting the oft-asserted dogma of the text. In p. 6, and again in p. 7, he quotes the case of Cospatrick Earl of Northumberland: "Nam (as Roger Hoveden tells us) *ex materno sanguine attinebat ad eum honor illius Comitatus; erat enim ex matre Alghitha filia Uthredi comitis.*" In p. 8, in regard to the Earldom of Chester, he quotes Hallam as stating that "on the death of the earl Ranulph in 1232, it fell into the *female* line;" and in p. 9, that, according to Dugdale, it was taken into the hand of the Crown *for want of a male heir*, until the son of the eldest daughter became of age, and then the Earldom was granted to him; which succession is again more fully set forth in p. 13, showing that there were four daughters and co-heiresses, and that the son of the eldest succeeded as of right. In p. 12 Mr. Finlason mentions the case of Henry de Bohun, who acquired the Earldom of Hereford by marrying the daughter and heiress of Milo de Gloucester, the former Earl; and in p. 14 he relates that "The De Mandevilles, soon after

the Conquest, acquired the Earldom of Gloucester by marriage with a *daughter and coheir* of the Earl, and on his (*sic*) death without issue, it went to the family of Clare,"—a statement by no means correct, for the only Mandeville Earl of Gloucester was Geoffrey who became Earl *jure uxoris* about 1213 (a century and a half after the Conquest), and was succeeded immediately by Almeric d'Evreux, the husband of another sister and coheir, and subsequently by Gilbert de Clare the husband of the third sister and coheir.

In truth, the whole history of the ancient Earldoms of England shows that they were continually made the inheritance of females, who were customarily preferred to a collateral male heir; and Mr. Finlason's perception must have become wonderfully obfuscated by the study of *Coke upon Littleton*, and Reeves upon *Coke*,—if not by Finlason upon *Reeve*, to have entertained any different view. Had he added to his studies, before rushing into print, Nicolas's *Synopsis of the Peerage* or Courthope's *Historic Peerage*, we imagine he would not have thought it requisite to print at all, at least in regard to the question of English Earldoms being limited to collateral heirs male.

In the first page of his preface Mr. Finlason supports a rash assertion that "the limitation of Peerages [not merely Earldoms, but "Peerages" in general,] to heirs male was actually the original and proper mode of limitation," by reference to the Second Report of the Lords' Committee on the Dignity of a Peer of the Realm; in which, at p. 191, after mentioning the creation of Michael de la Pole to be Earl of Suffolk in 1385, it is remarked that

The recital in this patent that the late Earl [William de Ufford] had died without heirs male, without mentioning whether he had left heirs of the body of his father, may perhaps be deemed to show that the grant of a dignity to a man and his heirs was then considered as a grant to heirs male only, unless the King should think fit to extend its operation to heirs general.

Now, it is generally allowed by those who are conversant with the Reports of the Lords' Committee referred to, the authorship of which is attributed mainly, if not entirely, to the first Lord Redesdale, that their *dogmata* are often obscurely expressed, if not sometimes contradictory to one another. In the present instance we must arrive at a meaning by considering what, in the circumstances of the case, his Lordship may have intended to say. There were two Earls of Suffolk, father and son, of the family of Ufford: the latter died without surviving issue, but the former had left daughters, whose present representatives are shown by Beltz, in his *Memorials of the Garter*, pp. 101,

212. Therefore what Lord Redesdale may be presumed to have meant, in the passage above cited, is that by the time of the second creation of the Earldom of Suffolk in 1385, if not at that of the first creation in 1337, it was determined that Earldoms should no longer be regarded as limited to the heirs general of the body of the grantee, but to the heirs male of *the body* of the grantee. Lord Redesdale was not sufficiently precise to add "of the body," because he had no conception that any one would understand him as meaning collateral heirs male, not actually descended from the grantee. But it may further be remarked that Suffolk was not one of the ancient Earldoms of England. It was a dignity created for the first time in the year 1337, and therefore the Crown may more reasonably have assumed to deal with it at its pleasure than with one of the ancient Earldoms.

Next, Mr. Finlason quotes "the same high authority" in regard to the Earldom of Buckingham conferred in 1377:

It seems to have been then [14 Ric. II.] understood that such a grant of a dignity would not have conveyed the dignity to collateral heirs of the grantee, or heirs to coheirs; and about this time the practice seems to have begun of confirming grants of dignities to the heirs male of the *body*.

Is it necessary to explain the meaning of this to Mr. Finlason? If so, we must tell him that the real intention of the writer was to say, that it seems to have been then understood in the reign of Richard II. that a limitation to "heirs" in the grant of an Earldom was not liable to be misinterpreted as one to collaterals, nor any longer (as in earlier times,) as one to the heir male of a female coheir, but only to "the heirs male of the body" of the grantee; which terms of remainder (as the Lords' Committee proceeds to say,) were actually adopted, in the same reign, in the previously cited patent granted to Michael de la Pole, Earl of Suffolk.

So, in fact, this *dictum* makes directly against, rather than in favour of, the remainder claimed for the "Earldom of Wiltes:" for if "heirs" meant only heirs of the body in the year 1377, "heirs male" would not twenty years later mean more than heirs male of the body.

Lastly, in the same note, Mr. Finlason quotes a third passage of the Lords' Reports (II. 275) which relates to the restoration of the Earldom of Oxford in 1392.

Perhaps the limitation to "heirs male" may have been considered in the reign of Richard II. as the true interpretation of an ancient grant of the dignity of Earl to a man and his heirs; that, by the word "heirs" in such a grant, heirs male only were intended.

Upon which the proper comment to be made is clearly this, that in the reign of Richard II. they must have known much better than to make any such false interpretations of ancient grants, whatever might have been deemed the true policy in regard to new grants. With respect to the Earldom of Oxford, it had happened that, unlike the majority of the old English Earldoms, it had then already descended in the male line for more than two centuries. As it was again conferred by a new grant, but which was intended to be a perfect restoration to the line of Vere, it was consistent alike with the old traditions of the family, as with the principles then evidently beginning to prevail in regard to the limitation of dignities in England, that it should be confirmed with limitation to heirs male.

And so in the case of the Earldom of Devon, upon which so much reliance has been placed as a precedent, it was confirmed in 1553 to the heir male of a family which (with the brief interruption of Humphrey Stafford for three months in 1469) had held it in the male line for seven generations: and consequently it was very naturally and justly restored to Edward Courtenay and his heirs male for ever.

It would seem, therefore, that neither Devon nor Oxford afford the true interpretation for the limitation of the "Earldom of Wiltes," but rather Buckingham in 1377.

Were we to criticise Mr. Finlason's dissertation more minutely, we should have numberless errors and oversights to point out; but as he is so wrong in the main drift of his argument, this is not worth while. It might, however, be thought a material omission by any one who has looked at his book if we left unnoticed another bold assertion in the author's Preface, that—

All the authorities on the subject demonstrate a proposition of constitutional law, or, at least, a fact of constitutional history, extremely important, and of vast interest at the present time, viz. that *for centuries creations of peerages were only, or usually, for life.*

So, on this point Mr. Finlason flatters himself that he has made a discovery that has escaped the inquiries of all those who on recent occasions have advocated the creation of Peerages for Life, and even of those noble Lords and their advisers who have so strenuously and determinedly resisted that proposition! Mr. Finlason's assertion in this matter,—one altogether contradictory to his main argument, that dignities were accompanied by remainders to collateral heirs male,—is supposed to be supported by Lord Coke stating, in his Reports, that until the reign of Richard II. all new creations of Barons were by writ

of summons, and by both Hallam and Mackintosh pointing out that the writ of summons was not deemed to confer an hereditary dignity until the sixteenth century.<sup>1</sup> "And Lord Coke says, that although the King cannot create an Earl or a Baron for years, yet, without question, he may create an Earl for life. (Sir George Reynell's case, 9 Coke, 98)."

The subject of Baronies by Writ is one which we need not now discuss; as Mr. Finlason's assertions will best be answered by a reference to the preliminary observations of Nicolas and Courthorpe, where it will be seen what writs of summons eventually created peerages and which did not. Certain it is that for a long period Baronies were usually created by Writs of Summons, and that such practice continued until late in the reign of Elizabeth.

In p. 21, in the midst of Mr. Finlason's statements about Baronies by Writ, is a strange note regarding the Scropes. Sir Henry le Scrope of Masham was summoned to parliament in 24 Edw. III., and twenty years later his brother Sir Richard le Scrope of Bolton was also summoned, "*though* Lord Scrope of Masham had three sons."<sup>2</sup> And for this second summons Mr. Finlason thinks it necessary to give personal reasons: "Sir Richard Scrope was a man of great ability and experience in public affairs; and, even supposing lord Henry Scrope's heir to have been a man of equal ability, he was young, and a man of no such experience." But the "lord Henry Scrope" was not dead in 1371, as Mr. Finlason seems to imagine; he lived until 1391, twenty years longer, and then was duly succeeded by his son and heir as a matter of course, the writ of 1350 (24 Edw. III.) having created a Barony which (with an interval of forfeiture 1415-1426) lasted until the year 1517, when it fell into abeyance between the three sisters of the ninth and last Baron.

In like manner, the writ of summons of the 44 Edw. III. to Sir Richard le Scrope of Bolton, created a much more permanent peerage

<sup>1</sup> Surely Hallam and Mackintosh cannot have made an assertion precisely in such terms. Probably reference was made by them to some decision establishing the right to a particular writ of summons. But that the death of a Baron by Writ was followed immediately by the issuing of a writ to his heir, as a matter of course, during many generations before the sixteenth century, will be seen before turning over much of the pages of Nicolas and Courthorpe.

<sup>2</sup> The first Lord Scrope of Masham had really *five* sons, but the eldest was slain s.p. 1362; and of the fourth, Sir Henry, nothing is known after 1360. (See Pedigree in *Scrope and Grosvenor Roll*, p. 134.) His third son was Richard, Archbishop of York, whom Hume (uncorrected by Mr. Finlason, p. 73) describes as brother to the Earl of Wiltshire, and consequently as one of the sons of the Lord Scrope of Bolton.

than the ephemeral "Earldom of Wiltes." It existed through a line of eleven Barons until the death of Emanuel Earl of Sunderland in 1640; when it fell into abeyance among his heirs general descended of his grandfather. It actually emerged from that abeyance in the year 1815; when, on the death of Charles Duke of Norfolk, the representation<sup>1</sup> became solely vested in Charles Jones, esq., formerly a captain in the 1st Dragoon Guards, and the elder brother of Michael Jones, esq., F.S.A. (a good genealogist, and old friend of our own), who died in 1831. The elder brother died in 1840; and his son Henry James Jones, esq., is now heir-general of the Barony of Scrope of Bolton, as well as a coheir (with many others) of the Barony of Badlesmere (1309) and a coheir of the Barony of Tibetot, or Tiptoft, 1308. These are ancestral claims which might well solicit the recognition of the Crown; but neither Mr. Jones nor his father have hitherto urged their just pretensions to the Barony of Scrope of Bolton.<sup>2</sup>

It is perfectly of a piece with Mr. Finlason's preference for Coke upon Littleton and Reeves on the Common Law, that he gives no intimation of these remarkable facts regarding the present lineal representation of Scrope of Bolton, which we extract from Courthope's *Historic Peerage*.

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HENRY UNTON, CHIROGRAPHER OF THE KING'S BENCH.—Weever, in his *Funerall Monuments*, gives the following inscription, from Sculthorpe in Norfolk: *Orate pro anima Henrici Unton, qui obiit Anno Millesimo ccc xx* Upon which I ventured to remark, in my Genealogical notices of the family of Unton, prefixed to the *Unton Inventories*, printed for the Berkshire Ashmolean Society in 1841, that it was probably a perverted version of the epitaph of Henry Unton, "and a glaring instance of Weever's frequent inaccuracy:" alluding principally to the discrepancy of date, for Henry Unton the Chirographer died in 1470, not 1320.

I have been lately favoured with the following extract from Henry Chitting's Visitation of the Churches of Norfolk and Suffolk, A.D. 1600—1620, a MS. formerly in the possession of Mr. Dawson Turner, and now of the Earl of Orford.

<sup>1</sup> See a pedigree in *The Scrope and Grosvenor Roll*, ii. 64, and another in *Synopsis of the Peerage*, p. 24.

<sup>2</sup> The title of Bolton (alone) has been perpetuated to our own times through two lines descended from the old Lords, but through natural children. Charles Powlett, sixth Marquess of Winchester, having married Mary, one of the natural daughters of the Earl of Sunderland, was created Duke of Bolton in 1689; and there were six Dukes of Bolton, until 1794. Thomas Orde (Powlett) having married Jean-Mary, natural daughter of the fifth Duke, was created Baron Bolton, of Bolton Castle, co. York, in 1797, and his grandson is the third and present Lord Bolton of that creation.

## SCULTHORPE.

In the Chancell window, Orate p aña Henrici Unton qui obiit A°. Miffmo cccxx°.

It is therefore, very probable, that Weever in this case copied from Chitting.

It thereby further appears that there were two memorials of Henry Unton in Sculthorpe church, one his figure in brass plate with an epitaph, and the other probably his figure in painted glass, with the above inscription.

There can, however, be no doubt that the date, as given by Weever and Chitting, is incorrect, and made so by the dropping of one of the four c's and the l, in the year Mccccxx. for Henry Unton had no ancestor of his own name at Sculthorpe who could have died in the year 1320. I gave an abstract of his will in the *Unton Inventories*, and from that document it appears probable that he came from Lancashire, for he mentions a tene-ment which he possessed in the parish of Leyland, and orders masses for three years at Chorley, for his own soul, and those of Richard Townley and his ancestors.

His sepulchral brass is one of those engraved in Cotman's *Norfolk Brasses*. He is represented kneeling in prayer, in armour, with sword and spurs; and the figure is specially noticed in the *Journal of the British Archaeological Association*, xi. 5, for the enormous size of the spurs. The inscription is as follows :

Hic jacet Henricus Unton gentilman, quondam chirographus dñi regis de Cõi Banco, qui obiit vicesimo septimo die mens<sup>9</sup> Augusti A° dñi M°cccc°lxx° cuj<sup>9</sup> añe ppiciet<sup>r</sup> deus. Amen.

The Untons were afterwards a prosperous race among the citizens of London: but some of them appear to have lingered at Sculthorpe. A memorial of John Humpton, ob. 1521, with his wife Elizabeth, seven sons and one daughter, is mentioned as still existing in that church in Haines's *Manual of Monumental Brasses*, 8vo. 1861, p. 148.

JOHN GOUGH NICHOLS.



The Seal of Westminster School: being the Arms of the Church of Westminster—commonly called those of Edward the Confessor (see p. 164), with a chief bearing the quarterings of Queen Elizabeth between two Roses of York and Lancaster.

## SIKES OF DERBYSHIRE AND NOTTINGHAMSHIRE.

*To the Editor of THE HERALD AND GENEALOGIST.*

Sir,—Additional information on this subject having been acquired since it was treated of at p. 315, Vol. III., a fuller revision is now submitted for publication. The reprint from “Burke” is suggested, as affording easy and immediate comparison of it with the memoranda resulting from repeated scrutinies of the original narrative. It is a literal reproduction of the article given in Burke’s “*Commoners*,” (1833) vol. i. pp. 406, 407. As communicated by the representative of the family, it appears to have been implicitly relied upon by the author of that work, and later editions of it,<sup>1</sup> though somewhat abbreviated, contain no material variation from the original in its genealogical or historical statements :

### SIKES OF THE CHAUNTRY HOUSE.

SIKES, the Rev. JOSEPH, of the Chauntry House, in the county of Nottingham, LL.B., born 13th November, 1781, succeeded his father in 1798.

#### LINEAGE.

This ancient family, as we are informed by Mr. Thoresby in his *Ducatus Leodiensis*, published in 1715, derives its surname from Sikes, or Sike Dyke, near Carlisle, in Cumberland, among the gentry of which shire we find Walter de Sike returned about the commencement of the fifteenth century. One of its branches subsequently settled at Leeds, in Yorkshire, the same learned antiquary acquainting us (after describing the castle of that town besieged by King Stephen on his march to Scotland, and in which the ill-fated Richard II. lodged some time prior to his barbarous murder in Pontefract) that “where of old it stood is now a capital messuage, and the ancient manor-house, lately with the park, &c. the estate of Richard Sikes, esq.; his grandson Richard having also it appears been alderman of Leeds when first incorporated, and *his* son Richard, parson of Kirkheaton, 1,350*l.* deep in the list of compounders”—a circumstance of singular distinction at that period.

The name was of eminency in Richard III.’s time, when by the “*inquisitiones post mortem et ad quod damnum*,” we learn that a writ of mesne was sued by Robert de Sike against Daniel Fletwitch, to acquit him of services demanded by the king, the said Robert holding of the crown as mesne lord. It also appears that

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<sup>1</sup> On reference to the present edition of *The Dictionary of the Landed Gentry* we are glad to find that more judicious editorship has at last excluded “SIKES OF THE CHAUNTRY HOUSE;” although our correspondent seems to be scarcely aware of the fact. [EDIT. H. & G.]

Robert and Henrie de Sike were parties, or witnesses, to a deed of extensive transfer early in the reign of Elizabeth ; a curious portrait of the latter (Henrie) is now, among others of little less antiquity, at the Chantry House.

In a subsequent era, the close of Queen Anne's reign, a Captain Richard Sikes was sent on a military mission to Ireland, and appointed governor of the town and castle of Athlone.

The Rev. RICHARD SIKES, fifth in lineal descent from Richard Sikes of Sikes Dyke, temp. Henry VI. and eldest son of the Rev. Richard Sikes, the rector of Kirkheaton, was himself rector of Spofforth and prebendary of York. He espoused Anna, daughter of the Rev. Mark Micklethwait, rector of Long Marston, and had, with other children, who died issueless, a son and heir—

RICHARD SIKES, esq. M.A. who wedded Martha, daughter and heiress of Sir Francis Cavendish Burton, of St. Helen's in the county of Derby, and, dying in 1696, left a son and successor,

JOSEPH SIKES, esq., born in 1686. This gentleman espoused Hannah, daughter and heiress of William Chambers, esq. of Derby, uncle to the fifth Countess of Exeter,<sup>1</sup> and left at his decease in 1751 a son—

JOSEPH SIKES, esq., who was for nearly half a century one of the acting magistrates and deputy-lieutenants for the counties of Nottingham and Derby, and was as such not less properly than liberally excused the office of sheriff of either county.<sup>2</sup> He was during an extended period chairman of the Newark bench, as also of its local magistracy, and in those important capacities was in frequent correspondence at eventful epochs with several of the principal members of the then governments. He held for some time the honorable station of one of the gentlemen of the privy chamber to King George III. ; and during the more meridian distinction of that celebrated military commander the Marquess of Granby, was strongly urged by his lordship, as well as by his own second cousin, Brownlow, ninth Earl of Exeter (great-uncle to the present Marquess), to accept as a reward for his valuable and indefatigable public services their recommendation for a baronetage, an honour which he more than once declined. This praiseworthy country gentleman, who was thrice Mayor of Newark, espoused first Jane, daughter of Robert Heron, esq. of Newark, and aunt to Sir Robert Heron, bart., but by her, who died in 1778, had no surviving issue. He wedded secondly Mary, daughter of the Rev. R. P. Hurton, rector of Doddington, in Lincolnshire, and domestic chaplain to Lord Delaval, by whom he had—

Joseph, his heir.

Hannah-Maria, married in 1824 to George Kirk, esq. of Leicester.

Sophia-Josepha, married in 1821 to the Rev. H. Wade Gery, M.A. of Bushmead Priory, in the county of Bedford.

Mr. Sikes died 10th March, 1798, and was succeeded by the present reverend representative.

*Arms*: Argent, a chevron sable between three fountains or, *Sikes* ; quartering, as heir general, the ensigns of the ancient family of Burton, viz., Azure, a crescent argent within an orle of estoiles, all within a bordure or.

<sup>1</sup> Hannah Sophia, daughter and co-heir of Thomas Chambers, esq. married July, 1724, Brownlow, eighth Earl of Exeter. She was the eleventh countess.

<sup>2</sup> This last clause is omitted in the later editions of the *Landed Gentry*, its absurdity having been probably pointed out.

*Crests*: 1st, a bull passant, over which the motto *Ferox inimicis*; 2nd. a ducal coronet, wherefrom issuing a wyvern.

*Motto*: QUOD FACIO VALDE FACIO.

*Estates*: In dispersed parts of the county of Derby (together with a much larger property in that and the county of Stafford, subsequently alienated) inherited from the Burtons. In Nottinghamshire, patrimony of the Sikes's, and in Lincolnshire, bequeathed by a maternal aunt.

*Seats*: The Chauntry<sup>1</sup> House, Newark, and Shuckton Manor House, Derbyshire.

Without again referring to the origin of Sykes of Leeds, a question fully discussed in Vol. III. of *The Herald and Genealogist*, I beg to offer the following memoranda upon this extraordinary compilation of "SIKES OF THE CHAUNTRY HOUSE," for I imagine that the amusement your readers will derive from their perusal will be in some degree commensurate with the trouble I have taken in tracing and detecting the misrepresentations which they expose to view. I beg attention in succession to the following points:

1. The Rev. Joseph Sikes had a fancy for other initials than those of LL.B., occasionally appending to his name those of F.R.S. and F.S.A., without being fellow of either of the societies they denote; and, according to his own account, was author of "Strictures and Commentary on the much-appreciated Life of the remarkable Dr. Anthony Ashley Sikes, as applied to the insidious 'Characteristics' of his once celebrated namesake Anthony-Ashley, second Earl of Shaftesbury." (*Clerical Journal*, &c. 1855).

2. In a "List of the Gentry of the County of Cumberland returned by the Commissioners in the twelfth year of Henry VI." (1433) the name of "Will. Dykes" occurs. (Jefferson's *History*, &c.) This seems to have suggested the transformation of William into Walter, and Dykes into de Sike.

3. According to the Rev. Joseph Sikes, "Roger de Sike was one of those who had custody of Richard II., and was concerned in the King's murder;" but this item seems to have occurred to Mr. Sikes after his compilation, entitled "Sikes of the Chauntry House," had been published.

4. Thoresby says, the ancestor who first settled at Leeds was

<sup>1</sup> "This residence, a royal grant to the maternal ancestor of Mr. Sikes (Sir Edward Snell), had been an establishment of observant friars of the order of St. Francis, founded, according to Tanner, about 1499, but the present mansion was erected in 1725 by Samuel Foster, esq. the great-grandfather of the existing possessor."

"one William Sykes, a younger brother, who came into these more populous and trading parts, where he considerably improved himself by the clothing trade; his grandson Richard was alderman," &c., &c. But the clothing trade must have been deliberately ignored by the compiler of the article communicated to Burke's "*Commoners*."

5. For some account of the "parson of Kirkheaton" see Pinks's "*History of Clerkenwell*," ed. E. J. Wood. It may be worth remark that, in at least one instance, Thoresby calls him "Parson Sikes," but it is none the less certain that he was no ancestor of "Sikes of the Chauntry House."

6. Thoresby says of the family of *Idle*: "The name was of eminency in *Edward III.*'s reign, when (&c.) a writ of mesne was sued by *David Fletwich* against Robert de Idle (&c.), the said Robert holding of the King as mesne-lord." Madox (*Hist. Exchequer*) refers to this transaction as having occurred in the thirty-fifth year of Edward the FIRST when "David de Flettewyk was attached to answer for not being at Carlisle to do his service with the King's army. Upon search of the rolls it was not found that he held in chief." This is the groundwork of the innately contradictory story of "*De Sike v. Fletwitch*," with all its variation of names.

7. The second "Robert de Sike" may pass without serious challenge, as may his companion "party or witness," "Henrie," his "curious portrait" included. Henry Sykes, who really existed, was not born till 1601-2, and was brother of the "parson of Kirkheaton," to whom reference has already been made.

8. For Captain Richard *Sikes* read Captain Richard *St. George* (!). (See "St. George Family," Burke's *Peerage*, &c.)

9. An indenture, dated 31st January, 1658-9, between the rector of Spofforth and his brother, Samuel Sykes, of Leeds, merchant, is sealed with the arms as afterwards used by "Sikes of the Chauntry House," but the crest is a fleur-de-lys.

10. The children of the rector of Spofforth *all* "died issueless," viz. Richard Sykes, B.A. 1674, M.A. 1678, LL.B. 1681, Sidney-Sussex college, Cambridge, died unmarried 11th October, 1686, buried at Leeds. Micklethwaite Sykes, B.A. Sidney Sussex

college, 1683; succeeded his brother in all his estates; died unmarried; buried at Ripley 14th February, 1697-8, leaving his property (real and personal) to his relatives the Kirshaws. Mark Sykes died an infant. Anna Sykes died unmarried; buried at Ripley, 7th June, 1683. Sarah and Rebecca Sykes died infants.

11. "Sir Francis Cavendish Burton" and "Martha" his "daughter and heiress," never existed, and there is something rather mythical about "St. Helen's." William Wolley, in his MS. relating to the town of Derby, says: "At the upper end of Bridge Gate, between St. Alkmund's and the Nuns' Green, was a religious house called St. Hellen's now (1712) converted into dwelling-houses and orchards," and the Rev. R. Simpson, in quoting this paragraph, gives a woodcut purporting to represent one of these dwelling-houses, and under it these words: "The Nunnery of St. Helen, Derby, in 1792."<sup>1</sup> The editor of Glover's *Gazetteer of Derbyshire*, reproduces the identical woodcut, but, as though he had some doubt of its authenticity, leaves out the name and date. This woodcut exhibits a quaint-looking building, and under one specimen still preserved, the Rev. Joseph Sikes wrote about the year 1817 these words:

*The ancient residence of the Sikes's, and from which place the existing Barony of St. Helen's was originally taken.*

And again, in some "Notes" printed at Newark in 1832, he calls St. Helen's the "ancient residence" of his "family."

Early omission to distinguish clearly between the district itself and the dwelling-houses which it contained has led to some confusion which Mr. Sikes's "Note" has not diminished. Hence a house named St. Helen's is mentioned in vol. iv. of *The Reliquary* as having been built in Derby by the Fitzherberts of Tissington; and we are informed that "Alleyne Fitzherbert, who was created Baron St. Helen's in 1801, was born in this house, and from it took his title." But, although the writer quotes the "Note," it is quite clear that any ancient residence of Mr. Sikes's family must have been distinct and separate from any house in Derby inhabited by the Fitzherberts. It is also a very remarkable circumstance that Alleyne Fitzherbert, when he had full opportu-

<sup>1</sup> *Fragmentary Antiquities of Derby.* By Robert Simpson. 1826.

nity of recognising Derby in the title of his British peerage, chose rather to be designated Baron St. Helen's "of St. Helen's in the Isle of Wight and county of Southampton." But "the Nunnery of St. Helen" may have been a name fancifully conferred upon a house in which the *Goodwins* resided for several generations. This house was on the east side of St. Alkmund's churchyard, "near the church-style leading into the Bridge Gate," and in 1735 was the property of Samuel Burton, esq. only son of Francis Burton and Mary his wife, only sister of Samuel Goodwin, gentleman, who died in this house unmarried, A.D. 1717, having handsomely endowed the vicarage of St. Alkmund during his lifetime. (See Hutton's *Derby* for a flippan't story of "the old bachelor of ancient family.") On the decease of Samuel Burton this house would revert to his first cousin Hannah wife of Joseph Sikes, during the minority of whose grandson (say in 1792) this "venerable edifice may, to his deep regret, have been taken down." (*Vide* Adam Wolley's MSS. British Museum, Add. 6670, p. 443, 6671, p. 186, &c.)

12. JOSEPH SYKES of Derby was eldest son of Joseph Sykes of Leek, co. Stafford, who was buried at Leek 6th March, 1732-33, descended of a family resident there for several generations. He appears to have married before he settled at Derby, and to have had a son Joseph baptized at Leek 24th August, 1714; but, as neither the burial of Jane his wife nor of his son seems to have occurred at Leek, it is inferred that they accompanied him to Derby and died there. Hannah Chambers was only child (to survive) of William Chambers of All Saints', Derby, gentleman, and Margaret his wife, elder daughter of Francis Burton of Weston-under-Wood, co. Derby, gentleman. On Joseph Sykes's marriage with Miss Chambers the registration of it settled the orthography of the name for their descendants. "Mr. Joseph Sikes and Mrs. Hannah Chambers, both (then) of All Saints' parish," were married at St. Alkmund's, Derby, 19th April, 1722, she being nearly forty years of age. Mrs. Sikes inherited the landed property of the Burtons, sometime of Weston-under-Wood, on the decease (s. p.) of her first cousin Samuel Burton, esq. 24th October, 1750, and died, intestate, in April 1751. An error in Mr. Burton's monumental inscription gives

the year of his decease as 1751; but the *Gentleman's Magazine* and a MS. of Mr. Adam Wolley concur in referring it to the previous date. Mr. Joseph Sikes, churchwarden of St. Michael's, Derby, A.D. 1729-34-48, died in May 1752, both himself and his wife being buried there. They had three sons, viz.:

1. Samuel, baptized at St. Alkmund's, 18th June, 1723; d. s. p. before 1752; leaving a widow (Sarah, daughter of — Webster of Derby, banker) said to have survived till 1796.

2. Joseph, of whom presently.

3. Benjamin, baptized at St. Michael's, 15th August, 1726; died s. p. before 1752.

JOSEPH SIKES of Newark-upon-Trent, alderman of that borough, was baptized at St. Alkmund's, Derby, 14th November, 1724. He succeeded his mother in 1751, and his father in 1752. Was mayor of Newark A.D. 1756, 1767, 1780; and (according to Dickinson) purchased landed property at Balderton in 1775, and the Chantry House estate in 1783. In 1789 he was nominated, but not appointed, high sheriff of Nottinghamshire.

Carlisle's Lists of the Gentlemen of the Privy Chamber—compiled from the Lord Chamberlain's books—do not include the name of Joseph Sikes; and the baronetcies conferred on Sykes of Basildon, and Sykes of Sledmere, may have suggested the statement that a similar honour was offered him and not accepted. The *Monthly Magazine* for March, 1798, thus announced the decease of Mr. Sikes:

Aged 74, Joseph Sikes, esq. one of his Majesty's justices of the peace for the county of Nottingham, and senior alderman of the Corporation of Newark. He served the office of Mayor three several times with the general approbation of his fellow-citizens, &c.

It will be observed that Mr. Sikes married for his first wife, "Jane, daughter of Robert Heron, esq." and that she died without "surviving issue." Yet this very slender link was thus made use of by Joseph Sikes, LL.B., in Curtis's *Nottinghamshire*:

NEWARK CHURCH.—Its elegance and magnitude are not its only distinctions, it abounds in the number of its decorative monuments: those to the Heron and Crayle families, the collateral progenitors of the possessors of the Chantry House, are most distinguished.

The Rev. JOSEPH SIKES was sometime domestic chaplain to the late Lord Raneliffe, at Bunney Park, near Nottingham.

He died unmarried 21st April, 1857, his sisters having predeceased him, s. p. In June, 1857, his obituary was published in the *Gentleman's Magazine*; and this obituary is so reverberative of his own style of composition that (in part at least) it would seem to have been prepared by himself for the occasion. His adopted daughter, Mary Webster, niece of the present Mr. Sikes of the Chauntry House, married 12th June, 1862, Robert Wallis, esq. of Old Ridley, near Gateshead, a magistrate for the county of Durham.

13. The arms used by "Sikes of the Chauntry House" appear to have been adopted in the first instance by Joseph Sykes of Derby, from the oft-quoted *Ducatus Leodiensis*, and regardless of any hereditary right to bear them. Joseph Sikes, LL.B., used for book-plate a shield of six quarterings: First, for his own patronymic. Second—Or, a fess between three crescents gules, for *Ogle*. Third—Sable, three stag's heads cabossed argent, for *Cavendish*. (These two were simply annexed from the Cavendish monuments at All Saints', Derby; hence—one fiction to support another—the transformation of Francis Burton, *gentleman*, into *Sir Francis Cavendish Burton, knight*.) Fourth—Ermine, three quadrats otherwise copper-cakes gules, on a chief of the last the chamber-piece of a cannon or.; as on the monument of Thomas Chambers, esq., at All Saints', Derby, and as quartered by the Marquess of Exeter. Fifth—for *Burton*—as given in Burke's *Commoners*, and on the monument of Samuel Burton, esq. at St. Alkmund's, Derby—Azure, a crescent argent, within an orle of estoiles, all within a bordure or. Sixth—(his mother's name having been *Hurton*, apparently a co-heiress) the arms of the ancient family of Irton of Irton, in Cumberland, viz.: Argent, a fess sable, in chief three mullets gules. (Previously to adopting the last-named quartering, Mr. Sikes seems to have perused the pedigree of the Irtons, and noted therein the name of *William Dykes*, putting it to the purpose already stated.)

The crest was assumed from the text of the *Ducatus*, &c., which refers to the legend of the "Branded Bull," but misstates it. This legend dates, at the latest, from the reign of Henry VIII., when Robert Sykes was a retainer of Sir John Nevill, one of whose badges was the "Brindled Bull." (See

Whitaker's *History of Craven*, second edition, and Drummond's *Noble Families*.)

The motto to the crest, *Ferox inimicis*, was chosen by Joseph Sikes, LL.B., as containing, phonetically or in fact, all the letters composing his own name, and as an appropriate reference to the qualities of the animal represented. The motto *Quod facio*, &c., was first used by Joseph Sikes, alderman of Newark, during his second mayoralty.

14. With reference to the estates, the word "alienated" may have included lands at Weston-under-Wood, in the parish of Mugginton, long a residence of the Burtons. "Shuckton," referred to under the head of "Seats," is a hamlet in that parish; but Shuckton *Manor-house* is said to belong to the "region of romance," and certainly neither it nor any estate in the parish of Mugginton is mentioned in the will of Joseph Sikes, LL.B. Curtis's *Nottinghamshire* (1843) contains this remark on the Chantry House:—"It is only very occasionally inhabited by the reverend gentleman, as preferring the still more ancient abode of his family in Derbyshire, alike descended to him from the Lekes," &c. &c. As St. Helen's Nunnery, another ancient residence of Mr. Sikes's family, had been taken down at an early period of his minority, the "still more ancient abode" may mean Shuckton manor-house. However this may be, Mr. Sikes was best addressed through the Chantry, since, on whatever occasion, delay became "more entirely avoided;" in other words, the postman might have had some difficulty in finding an abode less material.

The patrimony of the Sikes's in Nottinghamshire was (as already stated) of recent acquirement; and a freehold of 300 acres in Lincolnshire was bequeathed to Mr. Sikes by his aunt, Elizabeth Hurton of Lincoln, spinster.

A poem, entitled "The Chantry House," was printed at Newark in 1832, with "Notes," which have already been quoted as to St. Helen's. The paternity of the *poem* is attributable to the Reverend H. N. Bousfield, B.A., prompted thereto by the Reverend Joseph Sikes, LL.B., whose authorship of the *Notes* is sufficiently apparent. And one of these notes supplies the

singular fact that, although its author ignored Leek as a *locality* connected with his ancestry, he was willing to incite popular belief in his connection with the eminent *family* of that name, and, through it, to some sort of claim to the barony of D'Eyncourt. This note says —

The Chauntry House was granted to one Scarsdale Leek . . . the descendants of whom were subsequently ennobled with the barony of Deyncourt, and the earldom of Scarsdale; this circumstance will account for the surprise and difficulty, expressed by more than one antiquary, why the latter title had been adopted, since, in the hundred of Scarsdale, in Derbyshire, no individual of that family ever had any possessions. (!) The marriage with an heiress of such a name may, &c. &c. From the Leeks the Chauntry passed by the marriage of a co-heiress of that name with Andrew Snell, whose descendant, Robert Foster, sold it to (his relative by marriage) Joseph Sikes, esq. whose son (Joseph Sikes, LL.B.) is thus proved to have been lineally descended from the original grantee Scarsdale Leek . . . the best authorities considering that, had the barony of Deyncourt been granted in fee, he might with much clearness (!) have rescued it from any abeyance. (!!)

Should any hyper-critic (with the requisite control of his risible faculties) have ever asked the author of this Note for definite information concerning the “more than one antiquary,” the “surprise and difficulty” must have been Mr. Sikes's, and all of his own creating; or if he had inquired who the “best authorities” were, Mr. Sikes could scarcely have supplied him with any precise and ready answer.

The note says that the Chauntry House passed to the Snells by the marriage of a co-heiress with *Andrew* Snell, but in Burke's *Commoners* it is stated that it was a *Royal Grant* to the maternal ancestor of Mr. Sikes, *Sir Edward* Snell. As the former statement was first in print, the later one suggests another phantom, of the equestrian order, equal to, but not quite so conspicuously placed among Mr. Sikes's predecessors, as “Sir Francis Cavendish Burton.”

It is almost needless to speculate upon what might have happened “had the barony of D'Eyncourt been granted *in fee*.” On the one hand, Mr. Sikes might have been wary enough to have avoided the matter: on the other, he might have had one of the many delusions which seem to have possessed him, dispelled.

The extant registers of Leek date from 1634; and, some por-

tions having become illegible, a search of the first century of entries, mostly in Latin, has resulted in the recovery of the following items only :—

- 1634. James, son of Edward Sikes of Leek, bapt. 6 Sept.
- 1642. Edward Sikes and Anne Crowd, married 26 June.
- 1643. William, son of George Sikes of Leek and Jane his wife, bapt. 17 May.
- 1644. Susannah, daughter of George Sikes of Leek and Jane his wife, bapt. 30 June.
- 1647. Jane, daughter of George Sikes of Leek and Jane his wife, bapt. 18 April.
- 1649. Elizabeth, daughter of George Sikes of Leek, buried 10 June.
- 1650. Elizabeth, daughter of George Sikes and Jane, bapt. 26 June.
- 1653-4. Mary, daughter of Timothy Sikes of Leek and Mary his wife, bapt. 12 Feb.
- 1655. Hannah, daughter of Timothy Sikes and Mary his wife, bapt. 12 August.
- 1657. Sarah, daughter of George Sikes and Jane his wife, bapt. 18 Oct.
- 1657-8. Isabel, daughter of Timothy Sikes and Mary his wife, bapt. 21 March.
- 1658. Isabel, daughter of Timothy Sykes, buried 5 June.
- 1659. Thomas, son of Timothy Sykes and Mary his wife, bapt. 19 June.
- 1662. Timothy Sikes, buried 30 March.
- 1671. George Sikes (by his mark) signed the parish accounts entered 12 June.
- 1694-5. George Sikes of Leek, buried 14 Feb.
- 1695. Jane Sikes of Leek, widow, buried 2 August,
- 1707. Jane, daughter of Joseph Sikes and Jane his wife of Leek, bapt. 23 Oct.
- 1708-9. Elizabeth, daughter of Joseph and Jane Sikes, bapt. 4 March.
- 1710. Elizabeth Sikes of Mill Street, infant, buried 29 July.
- 1712. Hannah, daughter of Joseph and Jane Sikes of Mill Street, bapt. 26 March.
- 1714. Joseph, son of Joseph and Jane Sikes, bapt. 24 August.
- 1715. George, son of Joseph Sykes and Jane his wife, bapt. 11 Dec.
- 1726-7. Margaret, daughter of James and Mary Sykes of Latherige, bapt. 1 Jan.
- 1726-7. Joseph, son of Edward and Anne Sykes of Leek, bapt. 9 Feb.
- 1727-8. Joseph Sikes, infant, buried 12 Jan.
- 1729. Anne, wife of Edward Sykes of Leek, buried 24 July.
- 1729-30. Elizabeth Sykes of Latherige, infant, buried 20 Feb.
- 1732. Elizabeth Sykes of Leek, buried 26 Nov.
- 1732-3. Joseph Sykes of Leek, buried 6 March.

The most noticeable deficiency in the above items is the absence of marriage records, and this is but partially remedied by the following abstracts of wills, though they throw considerable light on the personal history of this family :

GEORGE SYKES of Leek, co. Stafford, "hosyer," dated 26 Jan. 1694-95. The Testator—an aged man—"believing the tyme of his dissolution to be 'not farr,'" desires "to be decently interred in the parish church of Leek, in the pewe or seate there," where he "usually sate to heare Divine Service;" devises to his wife Jane Sykes all his messuages, lands, &c. "within the Lordshipp or parish of Waterfall," co. Stafford, called the "Sparrowe Lee, dureing the terme of her naturall life," or if she "chance to marry againe" an annual rent-charge of 8*l.* in lieu thereof; remainder of

said estate and of another at Leek to his Executors in trust to pay to his granddaughters Mary Bunn, Sarah Bunn, and Sarah Myatt 10*l.* each, to his daughter Susannah Read an annuity of 4*l.* and *after her decease* the said annuity to his son *George Sykes*, and to his daughter Sarah Brown an annuity of 4*l.*; the "reversion and inheritance" of the "Estate called Sparrowe Lee" to his grandsons George and Josiah Brown, their heirs, &c.; to his granddaughter Jane Myatt (after his wife's decease) "all that messuage or dwelling house called the 'Angell' in Spout Street in Leeke," with, &c. and to her heirs, &c.; to his grandsons George and William Myatt, their heirs, &c. a freehold called "Beggar's Way," in the parish of Leek; to his sons-in-law "Thomas Bunn, Peter Brown, William Read, and Randall Bagnall, twelve pence a-piece;" to his wife Jane Sykes all his "stock and household goods;" residue of estate, "reall or p'sonall," to his Executors the said Jane Sykes and John Horsley of Leek, gentleman. Signed George Sykes +, his "marke." Seal, a fleur-de-lys, not on a wreath. Proved 19 April, 1695, at Lichfield.

It seems that the above named testator anticipated that some provision of his will would not be satisfactory—probably the one italicised—and added the following precaution against litigation: "Provided always, that if any of my devisees, &c. shall disturb any other of them in the enjoyment of my estate . . . then the devise, gift, or legacy of him, her, or them soe disturbing . . . shall be voyd and of none effect," &c.

JOSEPH SIKES of Leek, Innholder, by will dated 23rd February, 1732-33, desires "to be decently buried in such manner as" his "executors think fit;" devises to such Executors all his "Estate in England or elsewhere," upon trust to sell and apply the money arising from such sale; gives to his son Joseph Sykes of *Derby* one guinea; the like to his son Edward Sykes; to granddaughter Margaret Plowman (on attaining age) 5*l.*; to son George Sykes the interest of 30*l.* and share of residue, the whole when the Executors think fit; to daughter Hannah Sykes 30*l.* and share of residue; and to daughter Jane Mellor one-third of the same. He appoints his sons Joseph and Edward Sykes, Executors. Signed Joseph Sykes, + his mark. Seal, a goat's head issuant from a coronet. Proved 2 Nov. 1733, at Lichfield.

JOSEPH SIKES of Derby, gentleman, left a will, dated 11 April, 1752. He leaves an annuity of 21*l.* to Margaret wife of William Sale of Derby, draper, with benefit of survivorship to him, and ultimately the capital sum of 525*l.* to any child or children of the said Margaret; to his sister Hannah Brough an annuity of 5*l.* "exclusive of her husband;" to his nieces Margaret Green and Elizabeth Brough, and nephew Joseph Mellor, 10*l.* each; to his cousin Thomas Syncock "one shilling a week;" to his brother-in-law Mr. Thomas Ploughman "a gold ring of about one guinea price;" to his brother George Sikes, "now abroad, two shillings a week, whenever he shall come to, and reside in England;" to his maid-servant Mary Barton 10*l.* "besides mourning;" to the use of "one Edward Lowe, a boy now about nine years old, who was born out of wedlock at Farley in the county of Stafford," the interest on 100*l.*; and, when twenty-two years of age, the capital sum: also in the meantime 10*l.* "for putting him out apprentice;" to brother Edward Sikes "my silver watch, one-half my plate, and all my wearing apparel;" to son Joseph Sikes "the other half of my

plate." . . . "What shall then remain of my personal Estate . . . shall be laid out in the purchase of lands or tenements . . . in trust . . . to the use of son Joseph Sikes and his heirs;" failing which, to the use of "Edward Sikes and his heirs;" failing which, "to nephew Joseph Mellor and nieces Margaret Green and Elizabeth Brough, as tenants in common, and their heirs for ever." The Testator makes the same disposition of the real estate of which he dies possessed, and appoints his son Joseph Sikes and his brother Edward Sikes, Executors. Signed

*Jos. Sikes.*

Seal, the fountains and chevron, as at p. 316, vol. iii. Proved 27 May 1752, at Lichfield.

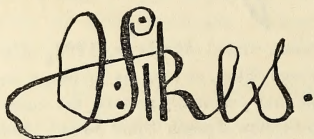
EDWARD SIKES, of Leek, gentleman, dated 27 June, 1763. He gives "two shillings a-week" to his "brother George Sikes, as soon as he ceases to be a soldier, and comes to live at Leek, so that he may personally receive the same towards his subsistence;" leaves "one guinea to nephew Joseph Sikes to buy himself a ring;" the like to "Charles son of William Armett, esquire;" names messuages, &c. in Barkway and Mill Streets, Leek; divides his property real and personal between his sister Hannah the wife of Edmund Brough, Elizabeth Brough their daughter, and Joseph Mellor his nephew. Edmund Brough is strictly excluded from "intermeddling" or participating, and Joseph Mellor is appointed sole executor and residuary legatee. Signed, Edwd. Sikes. Seal, a man in doublet and hose, holding a club. Proved, 20 Dec. 1764, in London.

JOSEPH SIKES of Newark-upon-Trent, co. Nottingham, esquire, dated 3 Mar. 1798. His freeholds within the limits of the borough of Derby, and in the parishes of Combridge, Denston, and elsewhere, co. Stafford, he gives in trust for sale to William Hutton of Gate Burton, co. Lincoln, esquire; Richard Hutton of Carlton-upon-Trent, co. Nottingham, esquire; Rev. William Key of Newark, and Jacob Ordoyno of the same place, gentleman, and their heirs, for the purpose of discharging the legacies and other pecuniary obligations of his will. He directs his trustees and executors to pay his wife Mary Sikes 150*l.* for the costs of his funeral, requests her to take its management, and desires to be buried in Balderton Church, where a plain monument is to be erected to his memory. He devises to his wife a legacy of 200*l.*; an annual rentcharge of 80*l.* in addition to her marriage settlement; the use of certain "heirlooms" and of the mansion and appurtenances at Newark and farm at Balderton till his son Joseph Sikes attains the age of 24 years, should she continue his widow so long. He leaves yearly rentcharges of 20*l.* 10*l.* and 5*l.* to three of his oldest servants, and gratuities to the others. Upon his wife's second marriage, or the attaining of said age by his son, the mansion at Newark and all his other freehold estates in the counties of Nottingham and Derby are devised to Rev. Hugh Wade Geary, of Bushmead, co. Bedford, and his heirs, to hold to the use of his (Testator's) trustees and their heirs for 1,000 years, to the use of his said son and his heirs male and female in strict priority, failing which, one moiety of those hereditaments to the use of his elder daughter, Hannah Maria Sikes, and her heirs in like manner, failing which, to the use of his younger daughter Sophia Josepha Sikes and her heirs, &c. to

whom he bequeaths the other moiety with remainder to the descendants of the elder daughter, and, "for default of all such issue," the entirety of such hereditaments to the use of Joseph Benjamin Smith of Newark, attorney-at-law (to whom he leaves 1,500*l.*) and his heirs in like manner. Provision is made for the testator's son and daughters during minority, for portions for the latter on attaining majority or marrying, and for other contingencies. And the will contains an injunction to any and all persons inheriting by virtue of its limitations to use the name and arms of Sikes, under pain of forfeiture to those next in remainder.

Surplus monies arising from his personal estate or from the sale of freeholds at Derby and in Staffordshire he directs to be applied in purchase of lands in the counties of Nottingham, Derby, and Lincoln, or in any one of them, and he appoints the said William and Richard Hutton, William Key, and Jacob Ordoyno, executors.

Signed,



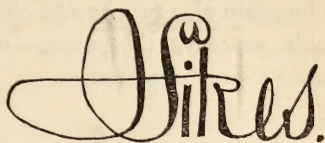
Seal, Sikes and Burton quarterly, with the motto, *Quod facio valde facio*. Proved 6 July, 1798, at York.

The Will and Codicil of JOSEPH SIKES of Newark-upon-Trent, Clerk, are dated respectively 4th Dec. 1852, and 11th Feb. 1857. He desires to be buried in Balderton Church, co. Nottingham, in a manner suitable to his situation and rank in life: leaves legacies to his servants and for charitable and religious purposes: gives a yearly rent-charge of 150*l.* to Mary wife of Francis Baines, gentleman: to William Webster of Weston, co. Nottingham, farmer, 500*l.*: to Mary daughter of said Webster and niece of said Mary Baines, 2,000*l.* and a freehold at Burrows in Brailsford, co. Derby: to Elizabeth and Emma Webster, 100*l.* each: to the said Francis Baines (with benefit of survivorship to Mary his wife) freeholds at Chellaston, Hognaston, Callow, Shardlow, Findern, Sinfen-Moor, Kirk-Ireton, and Sturston, co. Derby; Saint Alkmund's, in the town of Derby; Tydd Saint Mary, co. Lincoln; and at Newark, co. Nottingham, including the mansion there, with outbuildings, &c. &c. called the "Chantry House;" remainder to Mary Webster and her heirs lawfully begotten. In default of such heirs the testator gives testamentary powers to Francis and Mary Baines, the former being appointed sole executor, residuary legatee, and co-trustee with John Cooper, late mayor of Newark, builder. And the will contains the following Injunction:—"Provided also, and I do hereby particularly desire and request that every person who by virtue of the limitations of this my will shall become entitled to the actual possession or actual receipt of the rents and profits of the said hereditaments and premises lastly hereinbefore given and devised, or any part thereof, and also every husband of the said Mary Webster, in case she shall become entitled in possession as aforesaid, shall and do within one year next after she or they shall respectively become so entitled, assume and take upon himself and herself respectively and thenceforth for ever continue to use and bear the surname of SIKES, and bear the coat of arms of my family, and as the same are now used by me, and shall and do apply for and obtain a licence from the Crown, or other proper authority, for that purpose."

During the interval elapsing between the date of this will and

that of the codicil, the testator expressed an intention to make another and entirely different disposition of his estate; in fact, such as would have rendered the injunction as to the surname of Sikes only necessary in respect of orthography; and no injunction as to the coat of arms would have been needful.

Attached to the will, &c. is a signature which the testator himself has described as being "a somewhat curious specimen of the Elizabethan era of writing names, which period the family have been wont to consider as the date of its



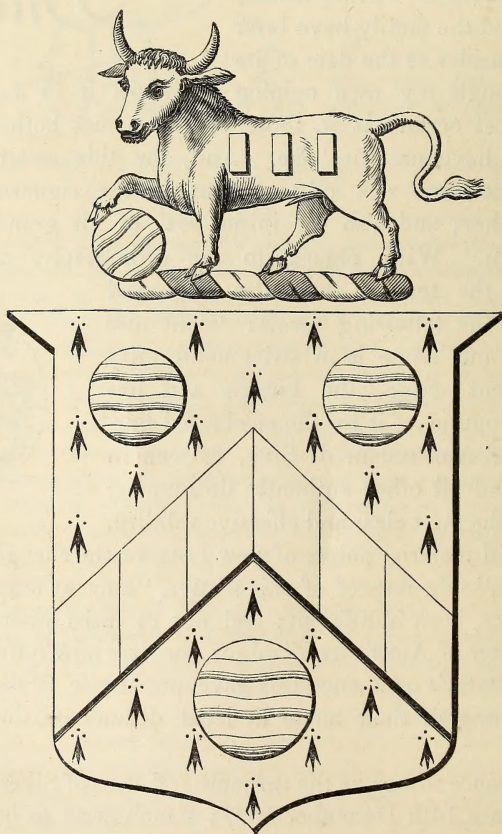
origin, though my own opinion attributes it to a far earlier period; most certain it is, those of the names both of Joseph and John have used it," &c. And, for this assertion, there seems to be some sort of precedent in the signature of the writer's father; and also the initial seal of his grandfather, as here shown. With regard to the orthography of his patronymic, the testator has also expressed himself in the following terms: "The use of the *i* in our name is in strict conformity with ancient usage, the known and undoubted adoption of it by the celebrated burgomaster of Amsterdam J. Sixe, as seen in the print and all other authentic documents, gives to it the most clear and effective validity.



In many and material points of view I regard the change (to the *y*) with regret." In respect of this matter, "ancient usage" has, in point of fact, been indifferent; and not to insist upon what the "burgomaster of Amsterdam" might do—it is now quite apparent that the testator's own ancestors gave preference to the letter *Y*, in the spelling of their name in legal documents, down to the year 1733.

Royal licence to assume the surname and arms of Sikes was given to Mr. Baines 14th December 1857; "such arms to be first duly exemplified according to the laws of arms, and recorded in the Heralds' Office, otherwise the said royal licence and permission to be void and of none effect." But, inasmuch as the testator's title

to the arms used by him was invalid, as already suggested, a new coat of arms, differing considerably in detail from that used by the testator, was granted to Francis Sikes (heretofore Baines) 7th January 1858. The patent describes the arms as being Ermine, a chevron paly of six, or and sable, between three fountains proper, and the crest as a bull proper resting the dexter foot on a fountain also proper and charged on the body with three billets sable, as—says the patent—the same are in the margin hereof more plainly depicted.



The grantee of this coat uses it without impalement, and has adopted the motto—"Quod • Facio • Valde • Facio."

In addition to the partial non-fulfilment of the testator's wishes in regard to the arms he used, the exigencies of the case do not appear to have permitted of his interment within the church at Balderton, as outside that edifice is a large altar-tomb covering his remains. On the sides of this tomb are no less than eight shields of the old arms of Sikes, but the inscription is simply a record of his name, age, &c. In the chancel of the same church are four hatchments, *viz.* (1.) Sikes impaling Heron, with the motto, "In Cœlo Quies;" for Jane wife of Joseph Sikes, esq. (2.) Sikes quartering Chambers and Burton, without crest, and no impalement or escutcheon of pretence. This is for Joseph Sikes, A.D. 1798, and above the arms is the motto, "Non Perii sed Praivi;" and, under them, "Esse Quam Videri Bona Malebat." (3.) Sikes and Burton quarterly, an escutcheon of pretence for Irton, *alias* Hurton, for Mary widow of Joseph Sikes, esq. (4.) Sikes quartering Chambers, Burton, and Hurton, but omitting Cavendish and Ogle. Crest, a brindled bull. Motto, Quod facio valde facio. For Joseph Sikes, LL.B.

The following inscriptions are also in the chancel. On a monument, originally a plain one, in accordance with the wish of the gentleman whose decease it commemorates:

Near This Monument Lie Interred The Remains of Joseph Sikes, esq. of Newark, Who Departed This Life On The Xth Of March, MDCCXCVIII, Aged LXXIV Years. Also Of Jane His Wife, Who Died XXVIIIth Of July, MDCCLXXVIII, Aged LVIII Years. *Sunt meliora nobis.*"

This, however, has been decorated with a shield: Baron, Sikes quartering Chambers and Burton; an escutcheon of pretence for Hurton. Femme, the arms of Heron, *i.e.* Gules, a chevron between three herons, close, argent.

#### On the floor:

In the Family Vault underneath this Stone are deposited the Remains of Jane the wife of Joseph Sikes, esq<sup>re</sup> who was many Years senior Alderman of Newark and one of His Majesty's Justices of the Peace for the counties of Nottingham and Derby. She was the youngest Daughter of Robert Heron, esq<sup>re</sup> Recorder of Newark, and departed this Life the 28th of July, 1778, aged 58 years. In her were united many rare Qualities and eminent Virtues; for she was not less an Ornament to her Sex than to her high Descent, her Father being the lineal and sole surviving male Descendant of William, Lord Heron of Northumberland, and when seated at Newark various

honorable Stations were there filled by her Family: Her youngest Brother, The Right Hon'ble Sir Richard Heron, Bart. M.P. was a Privy Counsellor and sometime Chief Secretary of Ireland, as also Lord High Treasurer's Remembrancer: Her Nephew, the present Baronet and Representative of her Family, is of Stubton near this Place, and a Member of the British Parliament.

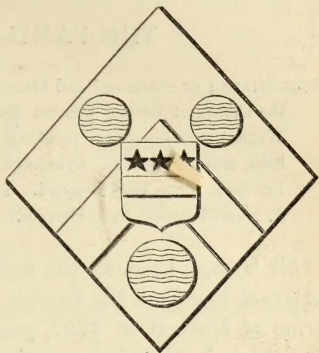
William Heron, of Ford in Northumberland, was summoned to Parliament by writ dated 8th Jan. 1371, (44 Edw. III.) "but never afterwards, and this Barony is presumed to have become extinct on his death." (*Vide* Nicolas's *Historic Peerage of England*, revised by W. Courthope.) The Herons of Newark derived from John Heron, of Bokenfield in Northumberland, A.D. 1575, whose descent from the quondam Peer of Parliament is not taken as proved in the *Genealogical Tables* of the Heron family, compiled by Sir Richard Heron, and printed in 1798. In Newark Church, however, the monumental inscription for John Heron, esq. (grandfather of Mrs. Sikes), describes him as being descended from Thomas, "fifth son of John Heron, esq. of Bokenfield, in the county of Northumberland, a younger branch of the antient Barony of Heron in that county." Sir Richard does not note the marriage of his sister with Joseph Sikes, merely recording that "Jane, 2nd dau. (of Robert Heron), æt. 8, annor. 1727, ob. July 1778, s. p." The *Gentleman's Magazine* for August of that year gives her decease as that of "Mrs. Sykes, sister to the Hon. Sir Rd. Heron, lately created a Baronet."

In 1754 Mrs. Anne Crayle, an affluent maiden lady, to whom Sir Richard, then Mr. Heron, was first cousin once removed, purchased for him the patent office of Treasurer's Remembrancer in the Exchequer, his predecessor and the vendor of the position and its emoluments being William Mellish, esq. Sir Robert, second Baronet, was M.P. for Peterborough, 1820-1852. This epitaph for Mrs. (Jane) Sikes was inscribed to her memory some fifty years after her decease.

On the north side of the east window is a monument with a lozenge-formed shield and an escutcheon of pretence, and this inscription:

SACRED TO VIRTUE.—In the cemetery beneath are deposited the beloved remains of Mary, relict of Joseph Sikes, esq<sup>re</sup> of the Chauntry House in Newark: Upwards of Two Centuries the Residence of her Ancestors: Who, quitting this earthly Tabernacle,

that brilliant Example of Christian Piety which results from a faithful and zealous Discharge of its most active Duties, unabated in Age, undiminished by Infirmary: Revered as a Parent, esteemed and mourned as a Friend, and in the Hearts of the Poor never ceasing to exist: Resigned her pure Spirit in humble Reliance on Divine Acceptance, September 9th, 1828, in her 73rd year. "Faith, Hope, and Charity there held their Throne, but *Charity* with brightest Lustre shone." Be *this* her imperishable Monument!! But amid such Record of her excellence, her lamenting Son in filial Duty and grateful Affection, dedicates and consecrates to her ever honored Memory this Marble."



Any remarks upon the style of this effusion for Mrs. (Mary) Sikes would be superfluous; but the statement that the Chantry House was for "upwards of two centuries the residence of her ancestors" should be noticed as varying very considerably from the truth, as already stated.

All memory of this family has completely died out at Leek, and Mr. Joseph Sykes, now living there, but of Yorkshire ancestry, has frequently been told by old inhabitants that such a name had never been known in the parish before he came to reside there.

Q. F. V. F.



Seal of Jos. SIKES to Will of 1752.

## THE FAMILIES OF DUCKETT.

DUCHETIANA ; or Historical and Genealogical Memoirs of the Family of Duckett, from the Conquest to the present time, in the counties of Lincoln, Westmoreland, Wilts, Cambridge, and Buckingham, comprising the Houses of Grayrigg, Hartham, Steeple-Morden, Aylesbury, and Wycombe, with the several ancient Families from whom they descend. By Sir G. F. DUCKETT, Bart., F.S.A. London : J. Russell Smith, Soho Square. 1869. 4to. pp. 116.

Sir George Duckett, the author of this volume, is descended in the paternal line from Sir George Jackson, Bart., who took the name and arms of Duckett in 1797, pursuant to the will of Thomas Duckett of Hartham, in Wiltshire, esquire, the maternal uncle of his wife. That lady was Grace, widow of Robert Neale, esquire, of Shaw House, near Melksham, and daughter of Gwyn Goldstone, esq. by Grace, daughter of George Duckett, esq. of Calne, a Commissioner of Excise, a poet and author, and an intimate friend of Addison. Sir George Jackson had all his life been a useful public servant. So early as 1758 he was appointed Secretary to the Navy Board; and for many years after he was Judge-Advocate of the Fleet. At the general election of 1790 he defeated the celebrated George Tierney as a candidate for the borough of Colchester, and in 1791 he was created a Baronet. He had married Mrs. Neale in 1775; he lost her in 1798, and survived until 1822; when, dying in his 98th year, he was the oldest housekeeper in London, dating his residence from 1745.

Thus, inheriting from his grandfather the name and representation of one of the principal houses of Duckett, Sir George Floyd Duckett has devoted himself very zealously and perseveringly to the investigation of the family history, and he has illustrated it with a large body of evidence both from public records and from private papers. These documents, which are for the most part published for the first time, lend a great interest to his pages, for they develop not merely matters of genealogy, but many other subjects of importance, particularly in the political history of the last century. And, as the book consists in a great proportion of double columns of note-type, it comprises almost three times the quantity that might be expected from the number of its pages.

The author has given the title *Duchetiana* to his collections from having adopted the idea that the family was originally French, and derived from a race named *Duchet*, seated before the Norman Con-

quest in the ancient duchy of Burgundy. It appears, however, from a variety of instances, that the name was by no means uncommon in the 12th and 13th centuries in various parts of our own country, and we are rather inclined to regard it as one strictly personal, and not of local derivation. Its earliest owner on record in England is one named Herbert Duket, living A.D. 1119, of whom the following miraculous anecdote is told in the *Gesta Abbatum Monasterii Sancti Albani*:—



DUCHET.

Et circa eosdem dies Herbertus Duket, possessionibus Sancti Albani infestus, ante majus altare dum forte veniret, adeo in pygmæam brevitatem decrevit, ut vix simiæ retineret quantitatem, qui antea elegantis et magnæ fuerat staturæ: ita quod nomini ejus hoc cognomentum *Duket* per contrarium adjiceretur. Veruntamen in amaritudine pœnitentiæ ad se reversus, promittens se in veritate Deo et Sancto Martyri satisfacturum, se sibi meruit restaurari.

Duket, then, it would seem, was a diminutive appellation: but a diminutive of what? Are we to class it with Jannet, Jacquet, and Willet, from Jean, Jacques, and Gillaume—Gillet from Giles, and Tucket from Touques? Did it mean *dux minor*, a little duke? Whatever was its precise import,<sup>1</sup> it was evidently personal, not local. Sir George has industriously collected all the early instances he could find of its occurrence under the forms of Duchet, Doket, and Duket: but he has overlooked the circumstance that Doget would be another form of expressing the same name; and it is one that is still familiar, particularly to the watermen of the Thames, who contend yearly for Doggett's "coat and badge."

Sir George Duckett is disposed to regard all the families of the name as having one common origin: but this we consider problematical. It appears (p. 7) that there were Dukets in ancient times in the counties of Somerset, Kent, and Oxford; but Sir George introduces his genealogical memoir by stating that its chief object is to trace and

<sup>1</sup> The conjectures of Lower, in his *Patronymica Britannica*, do not help us at all. He suggests that Duckett is possibly from *dove-cot*, quoting its Scotch orthography from Jamieson; and that Doggett is "an old London name, probably corrupted from Dowgate, one of the Roman gateways of the city." But he designates Marmaduke as "an early personal name," and we know that Duke was a familiar abbreviation of Marmaduke.

verify the descent of the three principal families of the name seated in Westmerland, Wiltshire, and Cambridgeshire, especially the two former, being in the direct line of his ancestry, and to place on record every authentic document or incident of family interest connected with the same.

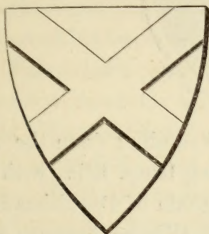
It is remarkable that some of the earliest owners of the name occur in the CITY OF LONDON, where it subsisted during several centuries, and arrived at the chief magistracy in the person of Sir Lionel Duckett in the year 1572. Nicholas Duket, who was Sheriff of London in 1191 and 1196, bailiff of the city in 1197, and chamberlain in 1199, is styled *filius Ranulfi Duket de London* in the charter rolls of 1206. Foss, in his *Lives of the Judges*, regards him as the father of Richard Duket, whom the king designated as *clericus noster* in 8 John, and who became a justice itinerant in the reign of Henry III.

William Duket of Fillingham in LINCOLNSHIRE is supposed to have been a younger son of the judge. In that county the family was of considerable importance, holding the manors of Fillingham, Haydon, Aisby, &c. On the Fine roll of 30 Hen. III. record is preserved of the homage paid by Hugh, son and heir of Richard Duket, for the lands his father had held *in capite* in the county of Lincoln. By other documents Richard appears to have been a knight, and so was his son Sir Hugh, who forfeited his estates by rebellion in 1258. In 25 Edw. I. it was found that William Duket held in Fillingham one-third of a knight's fee of the fees of Edmund Earl of Lancaster.

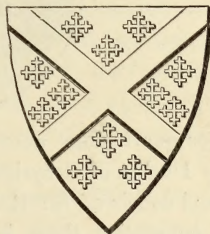
From the family of Fillingham is derived in the direct line that of Grayrigg in WESTMERLAND. The manor of Grayrigg had belonged to William de Lancaster, Baron of Kendal; and by a charter which is still extant he conveyed it, together with Haversham and Morland, *in liberum maritagium*, together with Agnes his daughter, to Alexander de Windesore. From this marriage, according to Dr. Burn the historian of Westmerland, was descended in the fourth degree Margaret, who conveyed the manor of Grayrigg in marriage to John Duket. She was a sister of William de Windsor, who, dying in 1385, left three sisters his co-heirs: Isabella, aged 38; Christina wife of Sir William Morieux, aged 34; and Margaret wife of John Duket, aged 32.<sup>1</sup> Sir William de Windsor was a man of great martial distinction in the reign of Edward III., particularly in Ireland, where, after having served for many years, he at length became the King's Lieutenant; and in the

<sup>1</sup> These figures are from an inquisition taken in London, cited in Collins's Peerage from Esc. 8 Rich. II. n. 38; and are more precise than those given in *Duchetiana*.

reign of Richard II. he had summons to Parliament. He is further memorable as having married Alice Perers, "the lady of the Sun," the famous court beauty of the latter years of King Edward III.<sup>1</sup> His history is detailed at some length in Collins's *Peerage*; but it would seem that he has been incorrectly affiliated by all the peerage-writers to Richard de Windsor of Middlesex and Berkshire, the direct ancestor of the Earls of Plymouth; for his father (according to Dr. Burn) was Alexander, son of William, who was son of the earlier Alexander and Agnes de Talebois.

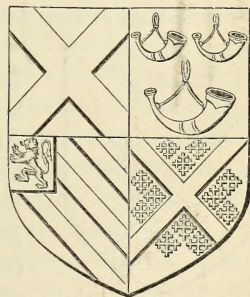


WINDSOR OF WESTMERLAND.



WINDSOR OF MIDDLESEX.

The Windsors of Middlesex, latterly Earls of Plymouth, have borne a saltire, but with the field crusilly, or gerated with crosslets. Sir William de Wyndesore bore a saltire undifferenced, as is shown in his seal.<sup>2</sup> This saltire was also assumed by the family of Duckett; and, when the custom of quartering prevailed, the heralds gave them a quartering of Windsor with the cross-crosslets. The annexed achievement, as marshalled in St. George's Visitation of Westmerland, 1615, is: 1. Sable, a saltire argent, for Duckett; 2. Argent, three bugle-horns sable, stringed gules, for Bellingham; 3. Argent, three bendlets, and on a canton gules a lion of the first, for Burnishead; 4. Gules, crusilly or, a saltire argent, for Windsor. Sir George Duckett (p. 97) retains "grounds for believing that the Duket family had used the sable field and saltire argent at an earlier date" than the alliance with Windsor; and yet he considers that both



<sup>1</sup> "Diversa maneria, terræ, et tenementa restituta Willielmo de Windesore militi et Aliciæ uxori ejus, et Aliciæ in feodo, quæ quidem Alicia per nomen Aliciæ de Perers attincta fuit per parliamentum in anno 1<sup>o</sup> hujus regni." Pat. 3 Ric. II. pars 3, m. 2.

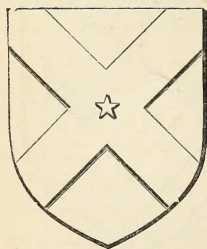
<sup>2</sup> Represented overleaf.

the crest of a plume of feathers and the parrot-like supporters, which occurred on an old cistern at Hartham (date 1706), were derived from Sir William de Wyndesore—though upon his seal the birds are really hawks, standing upon rocks.



The other quarterings above described resulted from the marriage of Anthony Ducket of Grayrigg, esq., living temp. Eliz., with Dorothy daughter and coheir of Sir Robert Bellingham of Burnishead: and in an earlier generation there had been an alliance between the same families, for Sir Richard Ducket of Grayrigg, knight of the shire for Westmerland in 1403, had married Mabel daughter of Sir Roger (or Robert) Bellingham, of Burnishead: a younger son of which marriage was Andrew Docket, the first President of Queen's College in Cambridge, and its *quasi* Founder under the patronage of Margaret of Anjou.

The Ducketts flourished in much prosperity for some centuries at Grayrigg, holding the estate in a regular hereditary succession of males for twelve generations. They became extinct in the year 1695,—about which time the estate was alienated to Sir John Lowther, Bart., ancestor of the Earl of Lonsdale.



The Ducketts of Steeple Morden in CAMBRIDGESHIRE are said to have been a junior branch from those of Grayrigg. The manor was purchased of the Earl of Suffolk in 1621 by Mrs. Joyce Norton, whose son Thomas Duckett, esq. was sheriff of the county in 1655. It was sold in the year 1673. Thomas Duckett (son of the last-named) married Anne daughter of Sir Edward Mansel, bart. of Muddlescombe

in Carmarthenshire, and had issue Mansel Duckett, esq. who is styled of Muddlescombe (p. 53). These Ducketts bore the saltire differenced with a mullet, according to the book before us; but in the ordinary in Edmondson's Heraldry they are stated to have borne Sable, an orle of martlets or.

The Ducketts of Hartham in WILTSHIRE were descended from William Duckett, the second son of Richard of Grayrigg (t. Hen. V.): whose wife was Eleanor daughter of William Harrington of Kendal by Anne daughter of Sir Thomas a Parre. William Duckett was of Flintham, co. Nottingham; and married an heiress of Redman (or Redmayne) of Over Levins in Westmerland. His sons John and Lionel were both citizens and mercers of London. Lionel became the Lord Mayor, already mentioned.

John was the father of Stephen, of Calstone in Wiltshire, M.P. for Calne in 1585 and 1586, and who eventually succeeded to a considerable portion of his uncle Sir Lionel's estates. He was father of Lionel, M.P. for Calne 1601; and also of John, M.P. for Calne in 1620 and 1623, who was fined for not taking knighthood at the Coronation of Charles I. He was Sheriff of Wiltshire in 1628, and subsequently, it is believed, a Colonel in the Royal Army.

His son, William Duckett, esq., frequently M.P. for Calne both before and after the Restoration, was one of the designated Knights of the Royal Oak. He was the first to reside at Hartham House in the parish of Corsham, his mansion at Calstone having been destroyed in the Civil War.

His son Lionel also sat in parliament for Calne, and was the father of George already mentioned as the friend of Addison, who was the father of Thomas, M.P. for Calne 1754—1765. This last gentleman was prevailed upon to sell his manors of Calne and Calstone to Lord Shelburne (p. 60), and so closed a connection with the House of Commons which had subsisted from the year 1585. *Hinc illæ lacrymæ!* for, when transferred to the house of Petty, Calne continued to "return without a day's intermission the heir apparent of the family which rules it." (*The Times* in 1852.) Sir George Duckett in the year 1802 lamented this loss of political influence very feelingly. The purchase-money was fixed in 1763 at 27,494*l.* 16*s.* 4*d.* All the details are very curious, but they are beyond our immediate province.

Hartham was inherited by his younger brother William Duckett, esq., who died in 1780, and subsequently by his niece's husband, Sir Sir George (Jackson afterwards) Duckett, named in our introductory paragraphs. Sir George Duckett the second Baronet, having (with his father) cut off the entail of the Hartham estates in 1798, sold the same to the first Lord Methuen in 1825.

Such are the leading features of the Duckett genealogy set forth in this volume. There are various collateral pedigrees introduced: as

Redman, Hopton, Greville, Bingham, Swift, Ward, Floyd, and others, all testifying to the persevering research of the compiler. He has made good use of the public records, and more particularly of the testamentary records of the Ecclesiastical courts, many wills being introduced at length.

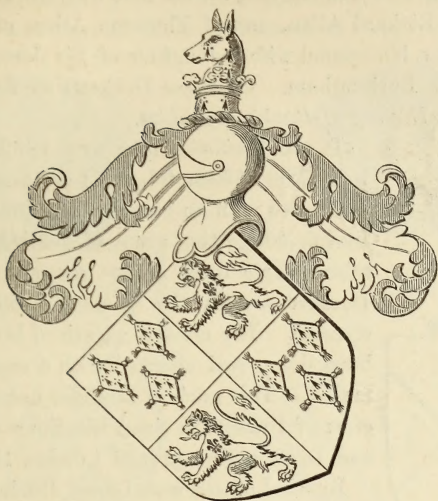
Among the unappropriated collectanea (p. 83) we find mention of two persons having the name of Sir Francis Duckett, and both said to have been knighted in the year 1603.

When proceeding on his first journey from Scotland to London, King James is said to have knighted, before he left Newark,<sup>1</sup> "Sir Francis Ducket of Shropshire." But this we think could only be Sir Francis Duckett of Grayrigg in Westmerland, born 1564, died 1636. The other knight of 1603, being one of those summoned to receive that honour previously to the coronation, and dubbed at Whitehall on the 23rd of July, was not a Sir Francis, but Sir Thomas Ducket of Berkshire.<sup>2</sup> This then must have been the Sir Thomas Duckett who is mentioned at p. 33 of the volume before us as the only surviving son of Sir Lionel Duckett the Lord Mayor by his second wife Jane, daughter of Humphrey Packington, esq. and widow of Humphrey Baskerville, alderman of London. Sir Lionel had possessed the manors of Barcott and Buckland in Berkshire, and he is styled "Lionel Ducket of Barcott" in the Visitation of 1566. In a codicil to his will he leaves his manor and farm of Barcote and all other lands, &c. in the county of Berks to his wife Jane, with remainder to his son Thomas; and Dame Jane Duckett, in her will made in 1589, left to her son Thomas her moiety of the parsonage of Prince's Risborough. Sir Lionel stated in the same codicil that his son Thomas "hathe married one Margaret Nelson without my consent and against my expresse commandment," possibly of the family of Nelson of Cheddleworth (p. 46), but this is not clear. She is stated to have died without issue (p. 33).

In the *Visitation of Berkshire* the quarterings given to Lionel Duckett (afterwards Sir Lionel) are: 1. Duckett; 2. Redman, Gules, three cushions ermine, tasseled or; 3. Aldburgh, Gules, a lion rampant argent, charged on the shoulder with a fleur-de-lis azure; 4. Windsor. The Aldburghs were the predecessors of the Redmans at Harewood in Yorkshire, and their arms are still there over the entrance to the castle. A portrait of Sir Lionel Duckett "in his robes as Lord Mayor of London" is in the possession of the present

<sup>1</sup> Progresses, &c. of James I. i. 90.

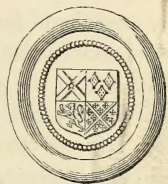
<sup>2</sup> Ibid. i. 214.



REDMAN quartering ALDBOROUGH.

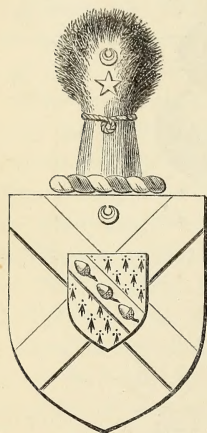
"In the great chamber of Harwood Castle." 1584.

Baronet, and on his hand appears a signet ring bearing the very same quarterings as were allowed him at the Visitation. We must remind Sir George, however, that this picture cannot be the work of Hans Holbein, who died in 1543, as Sir Lionel Duckett was not Lord Mayor until 1572, nor an alderman until 1565. We may add, that he had been bound apprentice to John Colet, mercer, the father of the celebrated Dean of St. Paul's, in the year 1537; and that he acquired his wealth in association with Sir Thomas Gresham.



At the Visitation of Buckinghamshire in 1575 there was a family of Duckett resident at Aylesbury and Wycombe in that county. Their connection with the main line has not been traced, although they bore the same arms differenced by a mullet. John Duckett of Aylesbury was recorded as the son of a George, and his mother was one of a family named Merry. He married Anne Walshe, described in the Visitation as "dau. and coheire of . . . . Walshe of . . . . in com. Norff." His son William was of the Inner Temple and of Wickham (*i.e.* Wycombe) co. Buckingham, and quartered the arms of Walshe (as shown in the engraving overleaf): Sable, a bend between

three billets argent.<sup>1</sup> He married for his first wife Elizabeth, daughter and coheir of Richard Allen, son of Thurstan Allen, of Weston, co. Derby; and for his second wife a daughter of Sir Jerome Horsey, of Risborough, co. Buckingham. Of these Ducketts we find no account in Lipscombe's *History of Buckinghamshire*.



In the *Visitation of Surrey* 1662, (Addit. MS. Brit. Mus. 5533, fol. 157) the arms of Duckett are drawn with an escutcheon of pretence as here shown, being the arms of Dalling, Ermine, on a bend sable three acorns proper. The arms of Duckett are in this instance differenced by a crescent. The crest is a garb of lavender proper, banded or, and charged with a crescent above a mullet. This garb of lavender occurs also as the crest of Duckett in the *Visitations of Wilts* 1563 and 1623, and in that of London 1568.

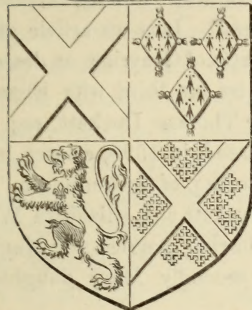
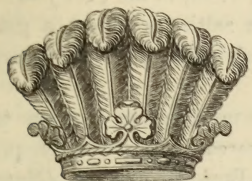
By Sir Lionel's son, Lionel Duckett of Barcott, the crest was relinquished for the more ancient coronet and panache of red feathers, which was clearly borrowed from the seal of William de Windsor, or some corresponding authority. We have met with other cases where the panache of feathers merged into the garb as a crest. In the present instance the garb, in its turn, is exchanged for the ancient plume of feathers.

The arms of Duckett with an inescutcheon of Dalling occur in the MS. referred to unaccompanied by any pedigree, but attributed to William Duckett, of Gray's Inn. From the Register of that house we are enabled to supply the parentage of the gentleman in question. He was admitted to the society on the 18th March 1619 as the son of Noyed Ducket of Broughton Ashton (probably Noah Duckett of Broughton Astley<sup>2</sup>) in the county of Leicester gentleman: his call to the bar is missing, but he was called to the grand company (as an ancient of the society) Nov. 24, 1645. Among the "respectable freeholders" of Broughton Astley in 1810 there was still a Ducket, but the county historian Nichols does not tell more of this family. The Dalling coat is the same as that borne by the Baronets (created 1783,

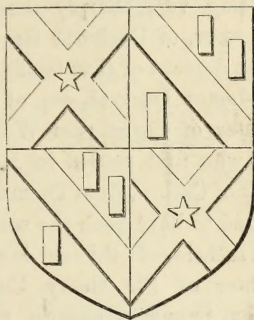
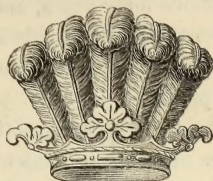
<sup>1</sup> This coat does not occur in the ordinaries, but is evidently allied to that of Walsh, of Colby in Norfolk, Sable, a bend between three columbines argent.

<sup>2</sup> We say probably Noah, because nearly at the same date we find Richard Smith yeoman of Broughton Astley dying 11 June 1629, leaving Noah his son and heir. Nichols's *Hist. of Leic.* iv. 60.

extinct 183 ), originally of Norfolk and Suffolk: but we have not discovered the marriage of William Duckett of Gray's Inn.



LIONELL DUCKET OF BARCOTT.  
(Visit. of Berkshire, 1566.)



WILLIAM DUCKETT OF WICKHAM.  
(Visit. of Buckinghamshire, 1634.)

There are, however, several others of the name remembered in Leicestershire. Hugh Duckett is mentioned in Charyte's *Rentale*<sup>1</sup> as being Rector of Hathern in 1298; and Sir George Duckett has been misled by the historians of the county to suppose that this coat, *Quarterly argent and sable, a bend gules*, in the chancel window of Hathern church, was commemorative of him. It is evidently a mistake, but one that we cannot entirely explain.<sup>2</sup>

At Beby in the same county is (or was) an imperfect inscription in black-letter in memory of "——— Dokett et Aliciæ uxoris ejus."

<sup>1</sup> See the passage quoted in Hist. of Leic. iv. 845.

<sup>2</sup> 1. Burton says, "In the East window of the Chancell stand the Armes of Hugh Duckett, sometimes Rector of the Church about 1530. Quarterly Arg. and Sable, a bend guelles. He glazed the said window." (*A Description of Leicestershire*, folio, 1622, p. 129.) 2. Nichols (*History of Leic.* iii. 845) alters the date 1530 to 1298, that being the true era of Hugh Duckett. The glass, however, is not likely to have been so old, and the date 1530 may have been right: but the name of the Rector at that time does not appear. Sir George Duckett (p. 93) states that the same shield has been observed at the churches of St. Mary Wigford and St. Peter Eastgate in Lincoln, at Nocton in the same county (where it impales Darcy quartering Wymbush), and at Barton on the Humber. (Harl. MS. 6829.) These notes ought to lead to its appropriation. In Edmondson's Ordinary we find only the name Breston assigned to it.

Robert Duckett was Rector of Glenfield in 1534 ; and Francis Duckett was instituted to the rectory of Little Ashby in 1705. He held that living above forty years, and died Dec. 5, 1746, in his 71st year. His monument exhibits for his arms, Azure, a saltire or; crest, a garb or. The inscription will be found in Nichols's History of Leicestershire, vol. iv. p. 23.

Before we conclude we feel bound to make some allusion to the remarks of a correspondent which appeared in our vol. iv. p. 461, criticising very sharply the article in Burke's *Landed Gentry* on "DUCKETT, of Duckett's Grove, co. Carlow." It is an article attaching the descent of that family to the Ducketts of Grayrigg, as descended from James Duckett, esq. of that place, by his third wife Elizabeth, daughter of Christopher Walker, esq. "Thomas Duckett, esq. (it is said,) who first settled in Ireland, purchased, in 1695, estates in the county of Carlow, from Thomas Crosthwaite, esq. of Cockermouth." He is stated to have been the son of James Duckett and Elizabeth Walker above mentioned: the said James Duckett having married first Magdalen daughter of Sir Henry Curwen, and secondly Mary daughter of William Saunders, esquire.

Sir George Duckett, at p. 25, states all the three marriages of James Duckett, esq. (ætat. 50 in 1664) in the same terms, and he mentions Thomas as the name of one of his younger sons: but he does not recognise that Thomas as the settler in Ireland. The only recognition awarded to the Irish family is in the following note:—

We have mentioned at p. 25 of this Memoir that the Westmerland or elder branch of the Duckett family, namely, the house of Grayrigg, had become *extinct* in that county about the end of the seventeenth century. It will have been seen that there existed in those parts, contemporaneously with the Grayrigg family, two other families of the same name, one at Skelsmergh, the other at Sedbergh, all undoubtedly related. An Irish family of the name of Duckett claims (we believe) a common descent from one of those branches. (p. 82.)

This appears more probable than a descent from James of Grayrigg; of which there could scarcely want evidence, the date being so recent, had it been founded in fact.

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## THE FAMILY OF ALYE.

In 1679 complaint was made against Richard Alye, citizen and merchant of London, touching his bearing and using certain Arms to which it was presumed he had no just pretence.

He showed in proof of his right thereunto, 1. the copy of the Freedom of his father Richard, son of Edward Alye of Tewkesbury gentleman; 2. a Certificate under the hand and seal of his uncle Theophilus then living, testifying that Richard was the eldest son of Edward; and 3. the last Visitation book of the county of Gloucester, made in 1623, and signed by the hand of the said Edward, in which the arms of Alye were entered as *Azure, a lion salient argent; with this crest, a leopard's head or between a pair of wings displayed sable*. These bearings were accordingly confirmed to him under the hand of the Earl of Ailesbury, Deputy Earl Marshal, Nov. 27, 1679. (I. 25, in Coll. Arm. fol. 219.)

It appears, however, on examining the original Visitation of Gloucestershire (C. 17 in Coll. Arm.) that the name of Richard Alye (senior) had been *omitted* in that record, together with that of his next brother John. It will be interesting to compare the several documents above mentioned.

*Copy of Freedom.*

CASTLE B. Richardus Alie filius Edwardi Alie de Tewkesbury in com. Glouc. generosi, qui fuit Apprenticius Roberti Andrews Civis et Scriptoris Literæ Curialis Londinensis, admissus fuit in Libertatem prædictam et juratus tempore Henrici Rowe militis Majoris, et Cornelii Fish Camerarij, Et intratur in libro signato cum litera T de Emptionibus Libertatum et Admissionibus Liberorum, viz<sup>t</sup>. Sexto die Septembris anno r. R. Jacobi etc<sup>a</sup> Sexto. In cujus rei testimonium sigillum Camerarii Civitatis prædictæ præsentibus est appensum. Datum in Camera Guilhalde ejusdem Civitatis die et anno supradictis.

Exam<sup>r</sup> per ROB<sup>t</sup>. DEVENISH Reg<sup>m</sup>.

GRE<sup>m</sup>. KING Rougedragon.

*Certificate.*

These are to certifie all whom it may concerne That Edward Aley Esq<sup>r</sup> late of Teuksbury in Gloucestershire deceased above 50 years, who had 3 wives, The first was M<sup>rs</sup> Dorothy Woodward, by whom he had eight children, viz<sup>t</sup>. Richard, Margery, Elizabeth, John, Edward, Mary, Anne, and Thomas. His second wives name was

Chapman being a widow; her maiden's name was Pennell, by her he had 3 children, William, Edward, and Joseph. His 3<sup>rd</sup> wife was Mrs Anne Roffe,<sup>1</sup> a widow, her maiden's name was Sheward, by her he had fower children, Mary, Joan, William, and Theophilus. And I Theophilus, being the youngest and only child living of my Father Edward Aley, being 67 years of age, do testifie that Richard Aley was the eldest son to my said Father Edward Aley, as appears in the Bible where all my Father's children are sett down, which I do certifie the Truth hereof under my hand and seal.

THEOPHYLUS ALIE. (Seal of Arms.)

Worcester the 2<sup>d</sup> X<sup>ber</sup> 1678.

*Pedigree from the Visitation of Gloucestershire, 1623.*

(Original in Coll. Arm. C. 17.)

Johannes de Bottetourthe Dn's de Weoleigh confirmavit Ric'o Atteley unum tene-  
mentum in Northfeild. Datum die Veneris proximo post festum Sancti Valentini  
28 Edw. 3.

Patent universis &c. me Willielmum Atte Lye filium et heredem Joh'is Atte Lye  
dict' in the Slade<sup>2</sup> de Northfeild remisisse &c. Ricardo Alysaundr' de Coston heredibus  
&c. Totum jus meum et clameam quæ habeo habui seu aliquo modo habere potuero  
in omnibus illis terris et tenementis, redditibus, servitiis, molendinis, cum pertinentiis  
&c. Hiis testibus, Joh'e Colmo, Thoma Haukeslowe, Rogero persona ecclesiæ de  
Northfeild, Thoma Whatcroft, Rogero atte Lye, et aliis. Datum apud Northfeild die  
Lunæ proximo post festum Sanctæ Lucie virginis anno regni Henrici quarti duodecimo.  
(Seal, a lion rampant.)

Johannes Aley de Northfeild  
in comitatu Wigornie.

Willielmus Aley = Margeria filia Willielmi  
de Northfeild Garrett de Handly Cas-  
pred. tell in com. Wigorn.

Anna filia Johannis = Edouardus Aley, modo su- = Maria, filia = Dorothea, uxor 2, fuit  
Seward de Faring- perstes in Tewksbery: ven- Joh'is Wod- filia Richardi Pennell  
ton in com. Berkes, didit terras in Northfeild in ward de com. de Buckland in co-  
uxor tertia. charta supra specificata. Cestriæ. mit. Gloucester.

Willi- elmus, 6 fil. Theo- philus 7.	Margeria. Eliza- betha. Maria. Anna.	Edouard- us Aley, filius pri- mogeni- tus.	Elizabetha filia Thomæ Whitehed de civitate Bristow.	Tho- mas 2 filius.	Willielmus Aley, apprenti- cius Londinen- sis hoc anno 1623, 3 filius.	4. Edo- ardus. 5. Jose- phus.
	1 Anna.	2 Maria.	3 Elizabetha.	4 Margeria.		

(Signed) EDWARD ALYE.

<sup>1</sup> This name is plainly written Roffe in the Certificate, but when copied into the Visitation of Herefordshire 1683 it was altered to Rosse, and so in the Visitation of London 1687.

<sup>2</sup> This seems to imply that Lye and Slade were of equivalent meaning. The former

The discrepancies between this Visitation pedigree and the Certificate made in 1678 are remarkable.

The latter states that Edward Alys's first wife was Dorothy Woodward, not Mary, and names her eight children, of whom the two elder sons, Richard and John, are not mentioned in the Visitation Pedigree.

In the Visitation the second wife is stated to have been Dorothy Pennell. Her brother-in-law does not give her christian name: but he says that she was the widow Chapman, and had three children by her second husband Edward Alys, viz.: William, (a second) Edward, and Joseph, all of whom are assigned to the first wife in the Visitation.

The third wife was Anne Seward according to the pedigree, or Sheward as in the certificate, which states her to have been the widow of a person named Roffe, and to have had four children, Mary, Joan, William, and Theophilus, the two latter of whom are alone named in the Visitation, the daughters having perhaps died in infancy. It seems very probable, nay almost certain, that it was this second William who was still an apprentice in 1623; for, as his younger brother Theophilus (67 in 1678) was twelve years old in that year, William would at the same time be of the prentice age.<sup>1</sup> And the name of William would be given him after his father had lost the former son of that name.

It is remarkable to find such errors in a Visitation pedigree, subscribed by the autograph signature of the father of the house: but the family bible, to the records of which Theophilus Alys appeals, and the evidence of which was admitted by the official authorities of a later generation, appears in this instance to out-

term is prevalent through England in the various forms of Legh, Leigh, —ley, Lea, Lee, and Lease, originally signifying the meadows or pasture land of a wooded country; and Leigh in Worcestershire and elsewhere is still pronounced as Lye. The term *field* was usually applied to the arable land of a vill. A *slade* appears to have been any vacant or depressed spot left uncultivated in a common field, and which might be partially used for pasture, or sometimes offer a sheltered nook for cottages.

There were others of the name of *atte Lye* at Feckenham and Frankley in Worcestershire in the 15th century: see Dr. Prattinton's Worcestershire Collections at the Society of Antiquaries, Index of Names, A e.

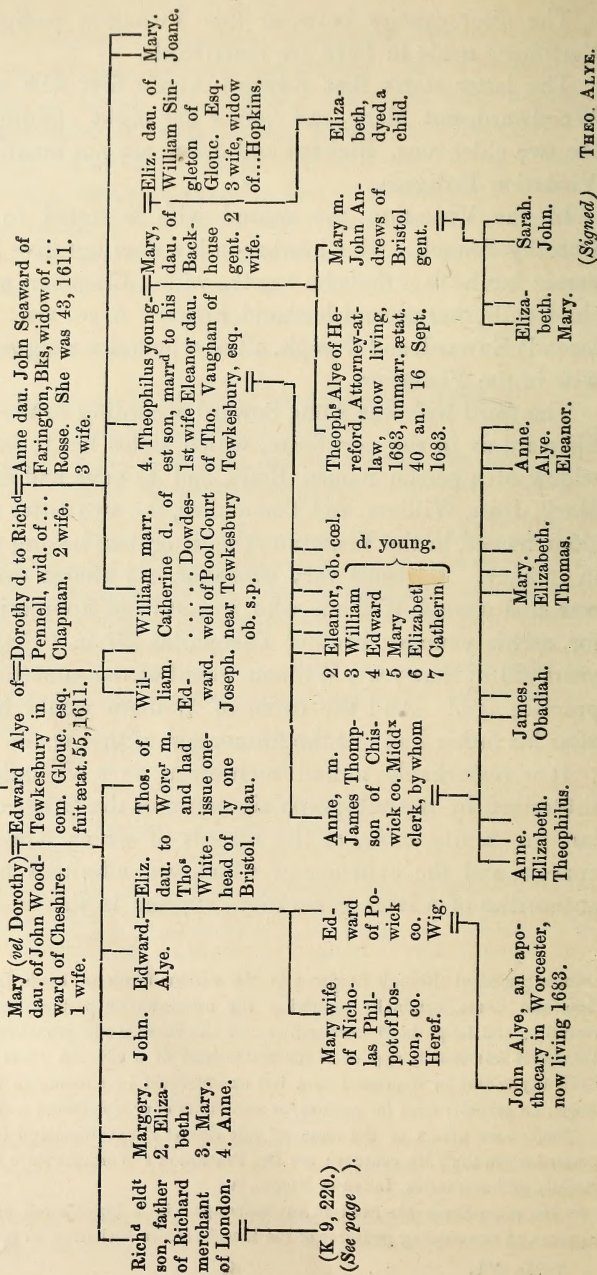
<sup>1</sup> He maintained his rank in his marriage with a Dowdeswell of Pool Court, as appears by the ensuing pedigree of the Herefordshire Visitation, in p. 226.

*Pedigree from the Visitation of Herefordshire, 1683.*

(K. 6 in Coll. Arm. pp. 26, 27.)

Hereford City, 13<sup>o</sup> Sept. 1683.

William Alys of Northfield co. Wig.



weigh what we cannot but regard as the hasty information—apparently very inaccurately transcribed, collected at the Visitation.

Edward Alys served as one of the bailiffs of Tewkesbury in the years 1587, 1593, and 1600.

Mary his third daughter was married to Thomas Pury of Gloucester, who died circ. 1666, aged 76 years, and had issue Thomas Pury of Taynton in that county, who was 63 at the Visitation of Gloucestershire in 1683. (K. 5.)

The Visitations of Herefordshire and the City of London, made respectively in the years 1683 and 1687, enable us to trace still further the genealogy of the Alys family.

A note to the former states that Theophilus Alys of Tewkesbury was “æt. 67 anno 1678,” and “obiit in Jan. 1679.” His first wife Eleanor Vaughan<sup>1</sup> died on the 29th April 1642, aged 29, and her epitaph formerly in Tewkesbury abbey church is copied in Dingley’s *History from Marble*, (Camden Society 1868) p. cccxlvii.

According to another epitaph there given, the Rev. James Thompson<sup>2</sup> (the husband of her daughter Anne) became Rector of Thornhaugh in Northamptonshire,<sup>3</sup> and their daughter, Mary Thompson, dying in 1677 at the age of sixteen, was buried at Tewkesbury near her grandmother. Another daughter, E. Thompson, is named by Dingley (p. cc) as *puella intacta*, to whom he dedicates a drawing of the Blessed Virgin.

Theophilus Alys the attorney-at-law in Hereford who signed the Herefordshire pedigree was the intimate friend and coadjutor of Thomas Dingley, and a large contributor to his MS. collections, as will be seen in various places of the *History from Marble*. One of the MSS. jointly compiled by these friends is unfortunately for the present missing. The date of Theophilus Alys’s death has not hitherto been ascertained.

<sup>1</sup> Arms of Vaughan, Ermine, a saltire [gules] differenced by a crescent. (Dingley, p. cccxlvii.)

<sup>2</sup> Arms of Thompson, Per fess [argent] and [sable], a fess per fess counterembattled between three falcons all counterchanged; over all, a bend sinister. (Dingley, p. cc.)

<sup>3</sup> Inducted 1661; buried there 16 Feb. 1671. *History of Northamptonshire*, by Bridges and Whalley, ii. 598.

Dr. Nash<sup>1</sup> has published one epitaph of the family, that of Edward Aly of Powick, (named in the pedigree) "who departed this life Nov. 3, 1660, aged 37; also Joseph his 6th son." (no date given). This was in Powick church, accompanied by the arms and crest as already described, on a brass plate.

We continue the descent of the family by the following—

*Pedigree from the Visitation of London, 1687.*

(K. 9 in Coll. Arm. fol. 22.)

Tower Ward, Mincing Lane Prec<sup>t</sup>. 24<sup>o</sup> Jan. 1687-8.

Edward Alys of Tewsbury in com. Gloucester. living anno 1611.	=	Dorothy, dau. of . . . Woodward. 1 wife.
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Richard Alys, Cit. and Scriv <sup>r</sup> of Lon- don, ob. circ. 1640, æt. 55 et ampl.	=	Alice, dau. of Edward King.	Margery. Elizabeth. John. Edward.	Mary, Ann, and Thomas.
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Marg <sup>t</sup> , m. l. Sam <sup>l</sup> Prichard, of Cow- ley hall, co. Mid <sup>x</sup> , gent. 2d <sup>ly</sup> John Warburton, Min <sup>r</sup> of Drayton, co. Mid <sup>x</sup> .	Richard, Cit. and Mercer of Lon- don, æt. circ. 50 an. 1687.	=	Lucy, d. Henry Sweet, of London, merch <sup>t</sup> , ob. 12 Oct. 78.	Philadelphia, m. Charles Keep, one of the Att <sup>ys</sup> of H.M. Court of Exchequer.	Susanna, _____ <sup>d</sup> 1687. William, ob. cœl. Ann, m. John Young, of London, gent. Edward, d. unm. Alice, living 1687 cœl.
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Henry, s. and h. æt. fere 23 an. 1687 cœl.	Richard, d. ys.	Lucy, m. to Mansel Leman, esq. s. and h. of Sir Wm. Leman, of North hall, in co. Hertf <sup>d</sup> , Bart.	Henry Keep, of Mid- dle Temple, gent. liv <sup>d</sup> 1687.†
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William Leman, son and heir, æt. 2 annorum, 1687.	Lucy, æt. 5 mens. a <sup>o</sup> 1687.
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(Signed) RICHARD ALIE, 1687.

Richard Alys, who signed this last pedigree, (and to whom the arms were confirmed in 1679,) became an alderman of London, but apparently for a short time only. He survived to the year 1702, when he made his will on the 30th April, designating himself as Richard Alie of London, merchant. He desired to be buried in the church of St. Dunstan's in the East, where his wife

<sup>1</sup> History of Worcestershire, ii. 265.

† Henry Keep here mentioned is remembered as the author of "*Monumenta Westmonasteriensia*; or, an Historical Account of the Abby Church of Westminster. By H. K. 1682." 8vo. and also of "The Genealogies of the high-born Prince and Princess George and Anne of Denmark. 1684." 12mo. (See Lowndes's Bibliographer's Manual and Moule's Bibliotheca Heraldica.)

and son Henry had been buried.<sup>1</sup> He names his daughter-in-law Mrs. Elizabeth Alie, his son's widow; his sister Philadelphia Keepe, and his sister Alice. His lands and tenements in London and in Barbadoes he leaves to his grandson Richard and his heirs; with remainders to his granddaughter Lucy Alie and his grandson Sir William Leman, bart. He also names his daughter Lucy Leman, widow; his brother-in-law Mr. John Warburton, and "my sister his wife;" and leaves the residue to his two grandchildren Richard and Lucie Alie. The will was proved by his daughter Lucie Leman, the sole executrix, 2nd July 1702. (110 Herne.)

Lucy, his daughter just mentioned, had been married at White-chapel May 20, 1686, to Mansel Leman, esq. the eldest son of Sir William Leman of Northaw, co. Hertford, the first baronet, by Mary, daughter of Sir Lewis Mansel, of Margam, co. Glamorgan, bart. and his third wife Lady Elizabeth Montagu, eldest daughter of Henry first Earl of Manchester. Mansel Leman died v. p. March 13, 1687, and his widow Lucy Sept. 20, 1745, aged 78. They had two children, William and Lucy. The former succeeded his grandfather as the second (and last) baronet in 1701, and died s. p. Dec. 22, 1741.<sup>2</sup>

His sister Lucy became his heiress, but died unmarried in 1745. Her aunt Elizabeth, the third daughter of Sir William Leman, the first baronet, had married Henry Alie, son of the alderman. She occurs in 1722 as the sole executrix of the will of her mother Dame Mary Leman, proved 2nd May 1722 (100 Marlborough); and she survived until 1739, when she was buried at Northaw, on the 26th Dec. aged 78.

Her two children Richard and Lucy (already mentioned in the will of their grandfather) were not married. Richard, being the adopted heir of Sir William Leman his cousin, took the surname and arms of Leman. He died on the 6th July 1749, aged 59, and was buried on the 17th at Northaw. Lucy, his sister and heir, was buried at Northaw on the 8th Oct. 1753, aged 63 ;

<sup>1</sup> The only memorials of the name of Alie mentioned in the memoir of that church by the late Rev. H. B. Murray, 1859, 4to. are, on a flat stone in the middle aisle, Alice Alie, Lucy Alie, 1678—the mother and wife of the alderman.

<sup>2</sup> See further in the Leman Pedigree, under Northaw, in Clutterbuck's *Hertfordshire*, ii. 415.

having given the manor and estate of Northaw to John Younger, esq., who also assumed the name and arms of Leman.<sup>1</sup>

Streets in the district of Goodman's Fields, bearing the names of Alie, Leman, and Mansel, still commemorate the family connections which we have now detailed.

A family of the name of ALLIES—whether of the same origin or no—has been resident in Worcester and its neighbourhood during the present century; and has become well known from the essays of Jabez Allies,<sup>2</sup> esq. F.S.A., author of *Antiquities of Worcestershire*, 1840, 8vo, and other memoirs relating to the early archæology and particularly the folk-lore of that county.

There was a Dorsetshire family named Alys, but of different race, if we may rely entirely upon the evidence of their arms,<sup>3</sup> which were, Or, a talbot's head erased sable, on a chief crenellé of the second three plates: Crest, a stag's head erased per pale argent and or, on his neck a fess crenellé gules charged with three golden escallops. The Dorsetshire historian, Coker, names them Ley. The pedigree as entered in the Dorsetshire Visitation of 1623, is as follows, with some additions (printed in *Italics*) from sepulchral evidence<sup>4</sup>:

<sup>1</sup> Clutterbuck, ii. 414.

<sup>2</sup> A memoir of Mr. Jabez Allies, who died Jan. 29, 1856, will be found in *The Gentleman's Magazine*, N.S. xlv. 316. He was the son of Mr. William Allies, of Upper House, Aufrick, near Worcester, who died 17th March, 1818, aged 79.

<sup>3</sup> The blazon given in Hutchins's *Dorsetshire*, second edition, iii. 152, is incorrect.

<sup>4</sup> In the chapel of Standley are (or were) the following epitaphs:—1. At the east end of the chancel, on a monument with Ionic pillars and a canopy,

“Here lieth the bodie of JOHN ALIE, esq. (the son of John Alie who married one of the daughters and heirs of William Stanlie, of Gussage St. Andrew's, in this parish of Stanlie, esq.), who died in Dec. 1579; and DOROTHY his wife, eldest sister of Sir Henry Ashby, knight, who departed in May 1577.

“Here also lieth the bodies of HENRY ALIE their sonne, who died March 14, 1631, and ELIZABETH his wife, daughter of William Constantine of Merly, in the parish of Canford, gent. who died in Aug. 1630. Which Henry caused this tombe to be erected in remembrance of them.

“*Nil morte certius. Et nemo felix ante obitum.*”

(With the arms of Alie impaling Constantine.)

On the floor:—“Here lies the body of DOROTHY KINGSTON, the wife of Thomas Kingston, gent. one of the daughters of Henry Alie, esq. of this parish, who departed this life the 11th day of May, 1631.”

## ALYE, OF DORSETSHIRE.

[From the Original Visitation of 1623, Harl. MS. 1166, fol. 66.]

*John Alys, Esq.* = *dau. and coh. of William Stanlie  
of Gussage St. Andrew's.*

John Alys of Gussage St. An- = *Dorothie, da. of Hen. Ashley, of  
drew in com. Dorset; died Upwymborne St. Giles, in com.  
Dec. 1579. Dorset; died May 1577.*

Henry Alys of Gussage in com. Dorset, now livinge 1623. <i>Died March 14, 1631.</i>	= <i>Elizabeth, da. of William Constantine of Merly, in Canford, gent. died Aug. 1630.</i>	<i>Margaret, ux. Hen. Fauntleroy de Marsh in com. Dorset.</i>
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1. Cecily, mar. to Gawen Mallet of St. Awdries in com. Somerset.	2. Katherine, mar. to Micha. Mallet of St. Andries,	Elizabeth, mar. to . . . Mynevey of Harberton in com. Devon.	3. Dorithie, = Edw. mar. Thom. Rogers primus Weeke vir. 2. vir.
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NOTES ON THE FAMILY OF KER, KERR, OR CARRE  
IN SCOTLAND.

## I. KERR OF GREENHEAD.

In Burke's *Extinct Baronetcies* this family is allowed a space of six lines, and the title is said to have become extinct on the death of its first holder.

In the *Landed Gentry* Mr. Scott-Kerr of Chatto is said to represent Kerr of Greenhead, and to be lineally descended from a brother of Sir William Kerr of Greenhead, brother-german of the Earl of Ancrum.

The following pedigree is an attempt to work out the true descent of these families.

Andrew Kerr of Auldtounburn and Cessford, ancestor of the Roxburgh Family, living 1450-1480, had a younger son,

I. Ralph Kerr of Prymsideloch, in the county of Roxburgh: he is named in the charter anno 1474 of Cessford, Prymside, &c. in favour of his elder brother; in 1484 has tack from the Crown of East Steid of Gildhouse; 1490-91, Nov. 3, Ralph Carr, one of the envoys of the King of Scotland, has a safe conduct to proceed to England, and again in 1509, along with his brother Andrew, as one of the commissioners of the Scottish King; 1501, March 8, Royal letter to him and his first wife Margaret Murray, a daughter of the family of Falahill, of the ward of the

lands of Cessford, on the decease of his eldest brother, Walter Kerr of Cessford; 1506, May 11, Ralph has licence from the King to build a mill on his lands of Bailliesheuch: his second wife, Margaret Rutherford, is named 1509, May 6, in a Crown charter of confirmation to them of half of Hietoun. Ralph Kerr had—

1. Andrew, his successor.
2. George.
3. William.
4. John.

The three younger sons are named in a charter 1540, of Fernihirst, in favour of their uncle Andrew.

Ralph was alive in 1523, when he is named in a charter of Oxnam in favour of his brother Andrew Kerr of Fernihirst.

II. Andrew Kerr of Greenhead and Prymsideloch is in 1510 put to the horn, and his goods escheat for failing to enter William Kerr in Whitmere, and his brother James, to be tried for the slaughter of John Broune. There is a Crown charter, 1535, October 31, to him of half of Softlaw, and four years later he has a Crown tack of Broadmeadows. 1535, Feb. 10, a decision of the Lords of Council “assoilzies Andro Ker of Prymsydloch for himself and as air to uñqlè Rauf Ker, brother to Andro Ker of Fernyhirst uñqlè of Prymsydloch, fra the Petition of William Borthwick of Crukistoun,” &c. This most important entry establishes beyond doubt the real origin of the Fernihirst family, which has been obscured by false genealogies, made up during the long struggle for precedence between the Roxburghe and Lothian families, to make out that the latter was a separate family of equal if not greater antiquity. Andrew, who was dead in 1541, had—

1. Gilbert, styled younger of Greenhead, 1537, when he was implicated in the slaughter of William, Andrew, and Persy Hall, and the burning of Cunzartoune; he died *vitâ patris* leaving a son—

Gilbert.

2. Robert, 1541, of Hietoun.

III. Gilbert Kerr, of Greenhead and Prymsideloch, named in the different charters of the Cessford estates, 1542, 1553, and

1573. In 1555 he has a renewal of the tack of Broadmeadows, as held by his father; succeeded his grandfather about 1540, and is said to have been knighted at Jedburgh June 1552; in 1564-69 he is named in the Band between the Scotts and Kerrs. He married first, Marion Pringle, and had—

1. Andrew, his successor.

2. Robert of Lochtour; 1555, has Crown Tack of Easter half of Faldishope; 1560, May 16, designated in a deed brother of Sir Andrew of Greenhead, and in 1567 as son of Gilbert.

1. Katherine, married (Contract 9th Feb. 1562) Andrew, grandson and heir of George Kerr of Linton; secondly, before 1558, Elizabeth Edmonstone, of the family of Edmonstone of Ednam, or of that ilk; 1563, Nov. 29, charter by James Earl of Bothwell to Gilbert Kerr of Prymsideloch and Elizabeth Edmonstone, his spouse, in liferent, and their third son Walter, in fee of the townlands, mains, and mill of the Barony of Town Yetholm; this is confirmed by the Crown 1584, Oct. 3, after Gilbert's death: issue—

1. Ralph; 1605, August 9, Crown Charter of Broadmeadows to Ralph Kerr, in Cateune, brother of Sir Andrew of Hietoun.

2. James of Middlemasswall married (Contract 1578 Dec. 4) Marion, daughter of Andrew Cunyngham of Birkhill, and had—

James, who in 1619 is served heir general to his mother.

3. Walter of Town Yetholm seems to have died s.p. *ante* 1611.

4. John; he and Janet Gib, his spouse, have a Crown charter of lands in Raperlaw and West Bernis, in Roxburghshire, 1586, Dec. 7.<sup>1</sup>

IV. Sir Andrew Kerr, of Greenhead and Hietoun, had, 1551, January 20, under the designation of Andrew Kerr, apparent of Prymsideloch, a Crown charter of Hietoun, from which he and his son sometimes took their designation; in 1564 he is mentioned

<sup>1</sup> In *Burke's Landed Gentry* the Kers of Gateshaw are said to descend from Lancelot, living 1595, a son of this Gilbert Kerr of Prymsideloch. I have met with no proof in support of this allegation, and the present or a different family of the same name held Gateshaw at an earlier date.

in the Band between the Scotts and Kerrs. In 1567 Andrew Kerr younger of Greenhead and his brothers Walter and Robert were summoned along with the Earl of Bothwell for treason. Sir Andrew married Alison daughter of Gilbert Wauchope, of Niddrie, Marischal in the county of Edinburgh, and Alison Hamilton his wife, and had seven sons called "the Seven Lads of Greenhead:"—

1. Andrew his heir.
2. Gilbert of Lochtour, ancestor of that family.
3. James of Chatto, an account of whose descendants follows.
4. William, named, 1587, May 1, in a Crown charter of confirmation of the church lands of Auld Roxburgh to his father; had, 1614, March 3, Crown charter of Softlaw.
5. John, has in 1614 a Crown charter of Howdon, and in 1649 is Member of the Committee of War for the county of Roxburgh.

The names of Sir Andrew's other sons I have not discovered, but it is said that one of them was ancestor of the Carrs of Etall, in Northumberland, and another of the Kerrs of Redpath in Berwickshire. He had also a daughter, Alison, wife of Ralph Kerr of Dalcoiff, who was one of the curators of his wife's nephew James Kerr of Chatto.

Sir Andrew, who, 1612, Nov. 12, had a Crown charter of confirmation of Hietoun, Maxwellheugh, and Wooden; was dead 18 March, 1617, when his son

V. Sir Andrew Kerr was served heir special to him in Hietoun, half of Softlaw, Wooden, Maxwellheugh. There has hitherto been some misconception as to the descent of this family, arising probably from the various designations they used, taking those of Greenhead, Hietoun, and Prymsideloch at different times; but the services (1620, June 30) of Sir Andrew, then styled of Hietoun as heir-general to Gilbert of Prymsydloche his grandfather, Marion Pringle Lady Greinheid his grandmother, Andrew *alias* Dand of Prymsydloche his great-grandfather, and Ralph of Prymsydloche his great-great-great-grandfather, place it beyond doubt that he represented them all.

Andrew Kerr of Greenhead had a Crown charter of Thirlestaine, which he sold in 1661 to James Scott; was created a Baronet of Scotland and Nova Scotia with Crown charter of

the lands, barony, and regality of Greenhead in Nova Scotia, 1637, July 31; appointed a Commissioner for preserving peace on the borders in 1641; 1643 to 1649 member of the Committee of War for the county of Roxburgh; and in the latter year member of the Committee of Estates and the Commission for the Plantation of Kirks.

In 1650 he is styled Colonel, and he was long "an able and active supporter of the Covenant," which led to his imprisonment in the Castle of Edinburgh at the Restoration, and to his being fined 6,000*l.* in 1662. A fellow-sufferer, Walter Pringle of Greenknowe, writes:

I only incline to mention shortly mine imprisonment in the Castle of Edinburgh upon the 26th September 1660 (this very year Mr. William Veitch became tutor in Greenhead's family) with Sir Andrew Ker of Greenhead, with whom I had very sweet fellowship for fifteen days, which was the time we were in prison, and one of the sweetest times I have yet had: for both of us were led forth to rejoice in the Cross of our Lord Jesus Christ, and were most willing through his grace and strength to forsake all for him. The Lord our God keep us ever in the same mind!

Again, later, and after being again incarcerated, Pringle says:

"At first I was scarce able to endure a few days' imprisonment in the Castle of Edinburgh, being near my friends, and having precious Sir Andrew Ker for my fellow prisoner, with whom I was of one mind."

Sir Andrew married first, in 1634, Elizabeth daughter of Sir William Scott of Harden, and had

1. Andrew, second Baronet.
2. William, third Baronet.
3. Gilbert, married Sophia — who was living his widow in 1727, and had

John, Surveyor of Customs at Dundee 1727, father of Robert, who, 1758 August 22, is served heir-general to his uncle Roger, and was dead s. p. 1779.

Roger, Comptroller of Customs at Ayr 1727, dead in 1758, leaving a daughter Sophia, who was dead, unmarried, 1779.

William and Gilbert, both alive 1727, but dead s. p. 1779.

A daughter, who in 1727 was wife of John Kerr, Kelso,

disinherited son of William of Chatto, but had no issue surviving 1779.

Elizabeth, died unmarried 12 July 1726. From the proceedings that took place in the Commissary Court at Edinburgh on the decease of this lady it appears that she was a "merchant" there, dealing in cloth and silks, and was insolvent.

Secondly, "1664, Aug. 16, Sr Andro Ker of Grein-head in the south married the Lady Craige in Angus sister to the El of Weyms: the mariage feast stood att Edb. in his lodging howse ther. The nixt day they went out of towne to his dwelling howse: (few or none of hir frinds were satisfied with this match.) In May 1665, or therby, he departed owt of this life att his owne house."<sup>1</sup> By this lady, Katherine, daughter of John first Earl of Wemyss and widow of David Carnegie of Craig, Sir Andrew had no issue. Lady Katherine Kerr died at Dysart 1668 Feb. 24.

VI. Sir Andrew Kerr, second Baronet of Greenhead, represented the county of Roxburgh in Parliament 1669 to 1673; 1663 Jan. 12 had Crown charter of Hietoun, &c.; 1673 Sep. 5 he and his spouse Jean, daughter of Sir Alexander Don first Baronet of Newton, have a Crown charter of Hietoun, Softlaw, &c. in the county of Roxburgh, proceeding on his resignation, in favour of themselves and the longest liver in conjunct fee, and his heirs male whatsoever, whom failing to his eldest daughter and her heirs, &c., the eldest heir female succeeding without division, and she and her husband "to take and use the surname of Ker and armes of the house and family of Greenhead." About the same time Sir Andrew recorded his arms in the Lyon Register. "Gules, on a cheveron argent three mollets of the first, in base ane hart's head or; and for ane difference in the midle chief ane crescent of the second," being those appropriate to his position as representative of a second brother of the house of Fernihirst. Sir Andrew appears to have died without issue before June 1676.

VI. Sir William Kerr, third Baronet of Greenhead, succeeded his brother, and, 1676 June 15, is served heir special to him in

<sup>1</sup> Mr. John Lamont's Diary.

Greenhead, Hietoun, Softlaw, parts of Prymside, &c. 1681 Sept. 6, has a Parliamentary ratification to him and his heirs and successors of the charter of Hietoun, Softlaw, &c. granted to his brother and not hitherto ratified. Sat in the Scottish Parliament for Roxburghshire 1685 to the Union, and was then returned to the first Parliament of the United Kingdom.

Sir William appears as Commissioner of Supply 1685 to 1704, Colonel of Militia 1689, and was dead in 1721. I have not discovered the name of his wife; but, 1684 Sept. 4, Lady Greenhead is fined 16,000*l.* Scots for her adherence to the Covenant. They had—

1. Andrew, of whom below.
2. Robert, who succeeded as fifth Baronet.

VII. Andrew Kerr younger of Greenhead, Commissioner of Supply 1698-1704, married Helen Hay, and was dead *vitâ patris* in 1721; had—

1. William, successor to his grandfather.

1. Helen, who, with her sister Agnes, was 1779 Jan. 26 served heir portioner general to their cousin Sir Robert Kerr, Bart. and 25 Nov. same year to their cousin Sophia Kerr. Helen was dead unmarried 1784.

2. Agnes, heir portioner as above to Sir Robert and Sophia Kerr: 1784 June 1 general service to her sister Helen; same date general service to her cousin Sir William Kerr, Bart. This lady, the last of the family in the direct line, seems to have inherited no landed property; she was dead unmarried, 1785 March 1, at an advanced age, when her cousins Elizabeth Scott and Jean Scott or Tait, resident in Edinburgh, were served heirs portioners general to her.

VIII. Sir William Kerr, fourth Baronet of Greenhead; 1707, Feb. 22, general service to his mother; 1721 March 30 to his father Andrew Kerr younger of Greenhead, to his grandfather Sir William, and to his granduncle Sir Andrew. In March 1718 his house of Bridgend, Kelso, was, with all its contents, destroyed by fire. He died without issue in August 1741, and was succeeded by his uncle

VII. Sir Robert Kerr, fifth Baronet of Greenhead; 1745 August 27 served heir male of provision to his said nephew in

Greenhead, Hietoun, &c.; married — daughter of Gilbert Kerr, Bamfinln, parish of Sprouston. The decline of the family seems to have commenced in the time of Sir Robert, who sold Greenhead and most of the other estates, and died in April 1746. He left two sons, who both enjoyed the baronetcy.

VIII. Sir William Kerr, sixth Baronet of Greenhead, is 1750 Oct. 9 served heir special to his late father in Softlaw, and this, the last remnant of the family property, he alienated before his death, without issue, in 1768. Bridgend was sold by Sir William to Captain James Douglas, R.N. who in 1756 built a mansion-house there called Springwood Park.

VIII. Sir Robert Kerr, seventh Baronet of Greenhead, succeeded to the title on the death of his brother, and resided in the town of Kelso. In 1768, Sept. 27, he was served heir-general to his mother's father; he died, without issue, in 1779; when the male line seems to have become extinct, and any personal property he had was inherited by his cousin Miss Agnes Kerr.

## II. KERR OF CHATTO, SUNLAWS, AND FROGDEN.

V. James Kerr, of Chatto, co. Roxburgh, which he acquired 11 Feb. 1593 from his father for 4000 merks. 1587 May 12, James Kerr and Elizabeth Innes his wife have a Crown charter of confirmation of the lands of Kirkhill of Spynie, in co. Elgin; 1598 James Kerr of Spynie has a charter of Sunlaws, in the county of Roxburgh, from John Home of Coldingknows, which was confirmed by the Crown 18 Nov. of that year.

VI. James Kerr of Chatto and his son James have a Crown charter of confirmation of the lands of Hangingshaw and Scraesburgh 1614 Jan. 14; James and his wife Christian, daughter of James Stewart of Traquair, and their son James get a Crown charter of confirmation of Sunlaws, 24 June following; he was dead in 1615, leaving—

1. James of Chatto.
2. Andrew of Chatto.
1. Jean m. Sir Thomas Kerr of Redden.
2. Christian m. — Kerr of Wells.

VII. James Kerr of Chatto was served heir to his father in Over Chatto 1615; married in Sept. 1623 Jean daughter of Sir

John Murray of Philiphaugh, and died between 1631 and 1637, leaving a son,

John of Eleishaugh, of whom afterwards.

VII. Andrew Kerr of Chatto has, 1631 July 9, as brother of James of Chatto, a Crown charter of confirmation of Nether Chatto, and, 1637 July 24, a charter of Over Chatto, Hangingshaw, &c. as brother of the late James of Chatto; he had repurchased these estates from Lord Traquair. He was a member of the Committee of War 1648, married Elspet dau. and coheir of James Wright of Gladswood, and was dead 1663, leaving—

1. William, his heir.

1. Joan, m. in 1654 Sir Thomas Kerr of Fairnilee.

2. Christian, m. John Kerr of Chatto, Eleisheugh, and Frogden.

VIII. William Kerr of Chatto, a minor at the time of the death of his father, to whom he was served heir-general 1678. About 1673 he recorded his arms in the Lyon Register, and is there stated to be “descended of the familie of Green-head.” The arms are those of that family within a bordure azure: Crest, the sun proper, with the motto, *Régulier et vigoureux*.” His name appears in the list of Commissioners of Supply for Roxburghshire 1685 to 1704. William Kerr married in 1673 Christian, daughter and coheir of Sir William Scott of Harden, and had—

1. Andrew Kerr, younger of Chatto, a Commissioner of Supply 1689; dead s.p. 1704.

2. William Kerr, younger of Chatto, a Commissioner of Supply 1704; died s. p.

3. John was disinherited and resided at Kelso, m. daughter of Gilbert Kerr, third son of Sir Andrew of Greenhead.

4. Robert Kerr died s. p. 1716, in exile.

1. Christian Kerr, who, in 1722, is served heir of provision general to her brother Robert, and 1729 heir of provision general to him under the entail of Chatto; she married in 1735 her cousin Charles Kerr, and in 1756, being then a widow, executed a deed of entail of Chatto and Sunlaws, under which she was succeeded at her death by her kinsman William Scott, merchant in Edinburgh, descended from

VIII. John Kerr of Eleisheugh. He sold Chatto to the Earl of Traquair 1632; in 1663 was tutor to his cousin William of

Chatto; Commissioner of Supply 1678-85; had Crown charter of Ormiston; acquired Frogden and Blacklaws, in the barony and parish of Linton, and had a Crown charter of confirmation of these lands to himself in liferent and his son Andrew in fee 1672 March 1; had by Christian his wife, daughter of his uncle Andrew of Chatto—

1. Andrew, fiar of Frogden 1672; died s. p.
2. Henry.

IX. Henry Kerr of Frogden, a Commissioner of Supply co. Roxburgh 1704, married one of the daughters and co-heirs of John Wauchope of Edmonstone, co. Edinburgh, a Senator of the College of Justice, and died in November 1708, leaving—

1. John.

1. Anne, who, along with her two sisters, was 1731 Feb. 9 served heir portioner of line and provision general to her brother John; she died unmarried 7 December following.

2. Barbara, service 1731 above quoted; 1732 March 18 she and her sister Christian were served heirs portioners special to their sister Anne in one-third of Frogden, Blacklaws, and Sharp-rigg; 1733 Feb. 7 they were served heirs portioners general of their father, and immediately afterwards sold the estates to Andrew Wauchope of Niddrie. Barbara married Dr. Alexander Scott of Thirlestaine, co. Roxburgh, and had a son,

William Scott, merchant in Edinburgh, who sold Thirlestaine, and succeeded on the death of his kinswoman, Christian Kerr, to Chatto and Sunlaws, and assumed the name and arms of Kerr. His grandson is the present proprietor.

3. Christian, served as above 1731, 1732, 1733; married Walter Scott of Harden; died s. p.

X. John Kerr of Frogden was served to his father 1711 Dec. 12, and died s. p. before Feb. 1731, when the estates passed to his sisters, as above.

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Mr. Scott-Kerr of Chatto is heir-general of the Kerrs of Chatto and Frogden, but not of the Kerrs of Greenhead. The Kerrs of Chatto do not descend from a brother of Sir William Kerr of Greenhead, nor from a brother of the Earl of Ancrum, neither was Sir William brother of the Earl of Ancrum.

## THE DESCENDANTS OF ARNULPH DE HESDING.

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*To the Editor of THE HERALD AND GENEALOGIST.*

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SIR,—In your vol. iii. (p. 173), I observe an interesting disquisition entitled “WHO WAS ARNULPH DE HESDING?” I offer you a few remarks, not directly on the same thesis, but rather as to “the Descendants of Arnulph de Hesding.”

Arnulph de Hesding, as your correspondent (H. S. G.) states, “came into England with the Conqueror, and appears in Domesday Book as the holder of large possessions in various counties.”

This is quite correct. Arnulph de Hesding was probably of Hesdin, a town of Picardy, and in the dominion of Flanders. How he acquired his Domesday fief, I propose to consider in the sequel. For the present it will be sufficient to state that it consisted principally, but not entirely, of manors in the ten several counties of Wiltshire, Gloucestershire, Dorsetshire, Somersetshire, Hampshire, Oxfordshire, Huntingdonshire, Bedfordshire, Berkshire, and Middlesex.

Speaking generally, and for the occasion hypothetically, I venture to suggest that eighty years after the Domesday survey, that is in 1166 (the date of the *Liber Niger*), Hesding’s Domesday fief can be traced, as divided into three nearly equal portions, and between three great houses.

1. The first of these portions is that held by Patric Earl of Sarum. It consists of 15 knight’s fees of old feoffment, and one knight’s fee of new feoffment, 16 fees in all. The tenants are classified under Wiltshire, and the Earl, who makes the return himself, expressly states that these 16 fees were of the marriage portion of his mother (de maritagio matris meæ, and de dominio maritaglii matris meæ).<sup>1</sup>

In another portion of the same record, and under Gloucestershire, it is stated that Earl Patric’s fief, “de matrimonio matris suæ,” consisted of 20 knight’s fees, and of three manors of 60*l.* (annual value), besides a manor of 20*l.* (annual value) held by Nigel de Albini, which I understand to belong to the same category, and besides a knight’s fee held by Alured de Lincoln, of which it is said that Earl Patric occupied it by force (Comes Patricius cepit per guerram).<sup>2</sup>

<sup>1</sup> *Liber Niger* (Hearne), i. 108.

<sup>2</sup> *Liber Niger*, i. 171 (verified or corrected as to details by the original).

Summarily we may conclude that Earl Patric's Barony of Cettre, as it was afterwards called, consisted in 1166 of 16 knight's fees, or of something more than 20 knight's fees, according as he himself or others estimated its constitution.

2. The second of these portions is that held in 1166 by Pagan de Mundubel. It consists of  $12\frac{1}{2}$  knight's fees of old feoffment, of  $\frac{1}{3}$ d of a knight's fee of new feoffment, which is expressed to be near Newbury, and of a manor given to Hugh de Chaurcis (Cadurcis) by Pagan de Mundubel his brother, which was accounted as of new feoffment, but on which no services were reserved.<sup>1</sup>

This fief (classified under Gloucestershire in the record) may be summarily stated as consisting of  $12\frac{5}{6}$  knight's fees. It was afterwards entitled the Barony of Kempsford.

3. The third of these portions is, by a mere accident of the time, treated of in the *Liber Niger* subdivisionally.

The first subdivision ranges in the record immediately after the Barony of Pagan de Mundubel, and is entitled "*De eodem tenemento divisio*," that is (as I understand it) a section of the same original Domesday fief as that in which Pagan de Mundubel held  $12\frac{5}{6}$  fees. And this section consisted of 7 knight's fees (of old feoffment) which were held, by their respective tenants, of Geoffry de Ver. And it is said or rather implied (for the reading of the MS. is corrupt and needs emendation) that this fief was a part of the same tenement as that of which Patric de Chaurcis, the grandfather of Pagan de Mundubel, held another part on the day of Henry the First's decease (1 Dec. 1135).<sup>2</sup>

The second subdivision of the third portion of Hesding's Domesday fief is enrolled in the *Liber Niger* under Shropshire, but is expressed to be "*of William FitzAlan's Wiltshire fief*." It consists of  $8\frac{1}{2}$  knight's fees (of old feoffment apparently) held by their respective tenants "*of the fee of William FitzAlan*;" and, in a note about services to the Crown, the record states categorically that this Wiltshire tenement of FitzAlan had formerly been Ernulf de Hesding's.<sup>3</sup>

And here we observe that the three tenants of Geoffry de Vere's list are identical with three of the tenants in FitzAlan's list; that the two subdivisions, when united, constitute a Barony of  $15\frac{1}{2}$  knight's fees, which was afterwards reconsolidated in FitzAlan, and that the existing severance was because Isabel de Say, widow of the first and mother of

<sup>1</sup> *Liber Niger* (Hearne) i. 170, 171.

<sup>2</sup> *Liber Niger* (Hearne) i. 171.

<sup>3</sup> *Liber Niger* (Hearne) i. 145.

the then living William FitzAlan, had received the aforesaid 7 fees in dower, and had carried them to her second husband, Geoffry de Vere.

And now I may state broadly that, where a Domesday fief, like Arnulph de Hesding's, is found in 1166 to be thus divided<sup>1</sup> between three principal and nearly equal participants, we may presume that during the interval of eighty years the Domesday inheritance had lapsed to three sisters and coheireses.

That granted as a principle, it follows from a collation of phenomena that the eldest coheiress of Hesding was in 1166 represented by the Earl of Salisbury, the second by FitzAlan, the third by De Monte Dublean, or, according to the style more commonly adopted by the same family, by De Cadurcis.

Let us see if but in one instance we can trace the descent from Arnulph de Hesding to any of the three inheritors of 1166. The one instance, thus found, will be a keystone to the two others. We will select for this experiment the share of FitzAlan. Here then follows the evidence of descent from Arnulph de Hesding (1086) to the second William FitzAlan (1166).

Ernulf de Hesdin is recorded in Domesday (fo. 160) as holding Nortone, an Oxfordshire manor of 15 hides. (It is unquestionably Chepyng Norton.)

Arnulf de Hesding survived the date of Domesday (1086) at least five years; for in the year 1091 he is found in a position consonant only with that of a great feudatory, attesting a charter of William II. to the church of Salisbury.<sup>2</sup>

A Gloucester monk, writing it matters not when, recites among the possessions of his abbey that it holds "*ecclesiam de Nortona, cum quinque virgatis terræ et cum decimâ et aliis rebus adjacentibus, ex dono Ernulfi de Hesding et Emelinæ uxoris ejus.*" (Here all I have at present to observe is, that the mention of Emelina is as that of a

<sup>1</sup> There were some exceptions to the general observation thus made. For instance:

(1). The manor of Pevesei in Wiltshire was Hesding's at Domesday (fo. 69 *b*). It reverted ere long to Winchseister Abbey, its previous possessor.

(2). The manor of Cumbe in Hampshire was Hesding's at Domesday (fo. 46 *b*); but Emelina wife of Ernulf de Hesding subsequently gave it to the Norman abbey of Bec. (Monast. vii. 1068.)

(3). Ecasatingstone, a Wiltshire manor of Hesding's, (Domesday, fo. 69 *b*) is probably identical with Estchalindon, which was given to Bradenstoke Priory. (Rot. Hundred. ii. 204.)

(4). Rislepe in Middlesex (Domesday, fo. 129) is identical with Le Rullepe given by Ernulf de Hesding himself to Bec Abbey. (Monast. viii. 1068.)

<sup>2</sup> Monasticon Angl. viii. 1294, II.

great heiress whose husband, granting at that period of history, required her co-operation and consent.)

But Emelina seems either to have anticipated or survived her husband Arnulf; and to have made in spinsterhood or widowhood an independent grant of the premises to Gloucester abbey. And moreover Emelina, dying at whatsoever time, left a daughter, either heiress or coheiress, by name Avelina, which Avelina was in the year 1126 the wife of Robert FitzWalter. The record speaks distinctly, and as follows:—

A.D. 1126. Robertus filius Walteri et Avelina uxor ejus dederunt ecclesiam de Nortona cum terris, decimis, et rebus omnibus pertinentibus, sicut Elmelina mater Avelinæ ante plures annos ejus<sup>1</sup> (anni) donavit.<sup>2</sup>

Moreover, and as a fortification of the date 1126, it appears that King Henry I. confirmed the grant of Robert FitzWalter and his wife Avelina; and confirmed it in the time of Abbot William of Gloucester; that is, in or before the year 1131.

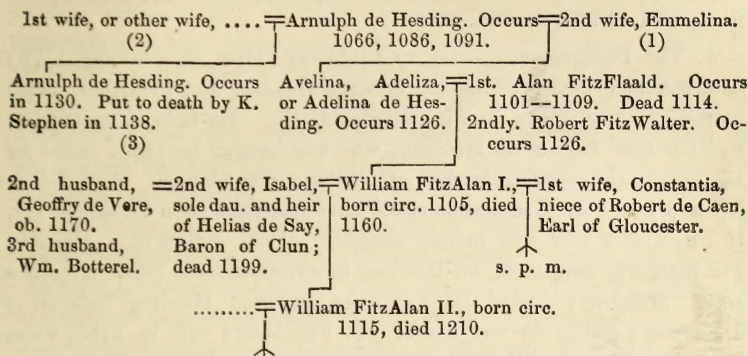
I have in the *Antiquities of Shropshire* (vol. vii. 222, 223) hinted at a probability that Avelina, the wife of Robert FitzWalter in 1126, had previously been the wife of Alan FitzFlaald, and was by the said Alan mother of the son and heir of both parents, viz., of the first William FitzAlan, Baron of Oswestry, and hereditary sheriff of Shropshire.

And here a difficulty, or at least an unexplained phenomenon, ought to be removed or accounted for. The Gloucester Chartulary says that in time of Abbot William (that is, still within the posterior limit of 1131) “Willielmus Brito dedit (to the Abbey) ecclesiam de Nortona cum quinque virgatis terræ, Rege Henrico Seniore (Henry I.) confirmante.” I take William Brito’s grant to have been in any way secondary, that is, either co-ordinate or co-operative or confirmatory. William Brito may possibly have been a third husband of Avelina, the Hesding heiress, or he may have been tenant-in-fee of the manor of Norton, or he may have been no other than Avelina’s own son, the first William FitzAlan, of whose Breton extraction there is, I believe, some other suspicion. Certain it is that the seignury of Chepyng Norton, Oxfordshire, remained with FitzAlan for generations. On the above-given evidences concerning that manor, combined with our fuller evidences of the descent of FitzAlan, we construct the following

<sup>1</sup> The expression is quaint. The paraphrase *annos multos anteriores ejus* will perhaps explain it best. However rendered, it means “many years before 1126.”

<sup>2</sup> Monasticon, i. 549b.

pedigree. And whatever remains of hypothesis in the said tabular construction we propose to justify in a postscript.



(1.) Emmelina, wife of Arnulph de Hesding I., I hesitate not to identify with the Ethelswytha de Hesdene of tradition, that great heiress who (according to H. S. G.) was of the Saxon blood royal, and married soon after the Conquest. (Herald and Genealogist, vol. iii. p. 176.)

(2.) Whether the mother of Arnulph de Hesding (II.) preceded or succeeded Emmelina as wife of Arnulph de Hesding (I.) is a question of very little import. If Emmelina's independent grant to Gloucester Abbey was in widowhood, then of course she survived her husband Arnulph, and his other wife preceded Emmelina. If on the other hand Emmelina's grant was previous to coverture, then the mother of the second Arnulph probably succeeded Emmelina as wife of Arnulph (I.)

(3.) Arnulph de Hesding (II.) was, I take it, no more than a feoffee in the Barony of his half-sister Avelina. The Wiltshire Domesday (fol. 69*b*) gives Chivele as one of the manors of Arnulph de Hesding (I.). In 1130 (Rot. Pipe 31 Hen. I.) we have it stated, under Wiltshire, as follows:—"Ernulfus de Hesding reddit compotum de xix sol. pro terrâ suâ de Chivelai." This looks at first as if Arnulph de Hesding (II.) had only recently come of age, but that will not account for his fining with the Crown for livery of a mere feoffment. It is more probable that his claim to Chivele had been disputed, and that his fine with the Crown was *pro habendo recto*, to have justice done him in the matter. It was doubtless he who in 1138 was hanged by King Stephen for his brave defence of Shrewsbury; but Ordericus, in calling him uncle (*avunculum*) of William FitzAlan, gives a great support to the theory embodied in the above pedigree. Arnulph (II.) was half-brother, we say, of William FitzAlan's mother, Avelina.

The idea expressed in a note to the *Antiquities of Shropshire* (vol. vii. p. 222, note 51) is therefore a mistake. The Ernulph de Hesding who is alluded to (Lib. Niger, i. 145) as previous possessor of FitzAlan's barony will have been the Domesday Arnulph.

Whether Arnulph de Hesding (II.) left any descendants is a question immaterial to our present purpose. Very possibly that Henry Chevel, *alias* Chadneal, who in 1166 holds one fee under De Vere and one fee under FitzAlan, was a Hesding; and there was one Reginald de Hesding a witness of a FitzAlan deed at a much later

period. But, more important than all, there was an Ernulf de Hesding, a partizan of the Empress Maude, three years later than the execution of Ernulf (II.) Such an one, on July 25, 1141, attests at Oxford the Empress's patent of Earldom to Milo de Gloucester. (Selden, Tit. Hon. 537.)

4. The Pedigree suggested by Blakeway (Hist. Shrewsbury, i. 78) as accounting for the connexion between Hesding and FitzAlan, seems to fail in many points, but in two essentially. Its fails altogether to explain how Ernulf de Hesding, who was hanged in 1138, could be the maternal uncle (*avunculus*) of William FitzAlan II. And it fails to show how FitzAlan's issue could have inherited from Hesding; for, if FitzAlan's wife was merely daughter of the widow of a Hesding (as Blakeway supposes), no Hesding inheritance could pass in such a way. Moreover, Isabel de Say (the assumed Hesding heiress of Blakeway's pedigree) was not as yet FitzAlan's wife in 1138, when Ordericus calls Arnulf de Hesding FitzAlan's uncle.

5. The Pedigree above drawn might be supported by many instances of manorial seigneuries passing from the Domesday Hesding to FitzAlan, but such details are perhaps beyond the limits of an essay like the present.

I now proceed with the third and smallest portion of the Domesday fief of Arnulph de Hesding. This I conceive went to Matilda the presumed third daughter of Arnulph de Hesding and of his wife Emmelina. The said Matilda I further assume to have become the wife of Patric de Cadurcis, who doubtless took his name from the town of Cahors or Cadurcæ in Guienne.<sup>1</sup>

Here are some supports of such a theory :

(1.) Westone, Somersetshire, is in Domesday (fo. 98) a manor of Ernulf de Hesding. Before the year 1106 Patric de Cadurcis sold it to Bath Abbey. (Monast. ii. 268.)

(2.) Etherope, in Gloucestershire, is one of Arnulph de Hesding's manors in 1086. (Domesday, fo. 169.)

It would appear from a statement of the Gloucester monk already quoted that Ernulf de Hesding gave to Gloucester Abbey the church of Heythrop and a mill, together with the lands of the priest; but King Stephen's charter of confirmation to the said Abbey speaks

<sup>1</sup> As Cahors or Chaurz was latinized *Cadurcæ*, so was the district afterwards called the Quercy known at one period as the *Pagus Cadurcinus*. The much later rendering of the generic term De Cadurcis by the name Chaworth was a mere Anglicanism, the gradual result of the severance of its continental dependencies from the English Crown. I have seen no authentic mention of the form Chaworth within the time contemplated by this inquiry.

with much greater precision, though perhaps more than fifty years after the gift took place. It confirms "*ecclesiam de Hadorp cum decimâ ejusdem villæ et terram presbyteri et in eâdem villâ unum molendinum cum terrâ pertinente,*" &c. &c. "*ex dono Ernulfi de Hesding et Emelinæ uxoris ejus.*" (*Monasticon*, i. 548, 551.) And then we hear from the monk's recitation that "*Patricius de Cadurcis et Matildis uxor ejus, testificantes et confirmantes, cartâ suâ confirmant donationes heredum* (a word which often means *ancestors*) *suorum.*" So much for Hatherop.

(3.) But again, Ernulf de Hesdin is Domesday lord of Chene-meresford (*hodie* Kempsford) in Gloucestershire. (*Domesday*, fo. 169.) And next, as the Gloucester monk informs us, Ernulf de Hesdyng "*dedit* (to Gloucester Abbey) *ecclesiam de Kymmerforde cum terris sacerdotis: insuper terras et pasturas et libertates quas ibi habemus.*" But King Stephen confirms to the Abbey in fuller detail "*ecclesiam de Chinemesfort cum decimâ et terrâ sacerdotis ex dono Ernulfi de Hesding et Emelinæ uxoris ejus.*" (*Monasticon*, i. 548, 551.) And this gift and Patrick de Cadurcis' succession to Kempsford both took place before the year 1100; for the Gloucester monk reports an addition to the gift, viz., how "*Patricius de Cadurcis dedit tria molendina in Kynemesforde quæ Rex Willielmus junior (1087-1100) confirmat tempore Serlonis Abbatis (1072-1104).*" It would appear then that Patric de Cadurcis and his wife Matilda succeeded to Ernulf de Hesdin at Kempsford between the years 1091 (when Ernulf was living) and 1100.

We next have a hint that Patric de Cadurcis (I) was succeeded before the year 1130 by a son and heir, another Patric. The oft-quoted Gloucester monk says, "*Patricius de Cadurcis filius Patricii dedit unum molendinum quod vocatur Horcote, in villâ de Kynemesford, cum terris adjacentibus, et decimam pratorum ejusdem villæ, Rege Henrico seniore confirmante, tempore Willielmi Abbatis (1113-1131).*" Then there is "*Patric de Cadurcis,*" whose land is said in the Pipe Roll of 1130 (p. 124) to have been recently in the custody of Geoffry de Clinton. That great officer of state had doubtless held this function by appointment of the Crown; and we may fairly infer either that Patric de Cadurcis (I) had been under forfeiture, or that Patric (II) had only recently had livery of his inheritance. In this same year, and this same record, Patric de Cadurcis appears as excused his quota

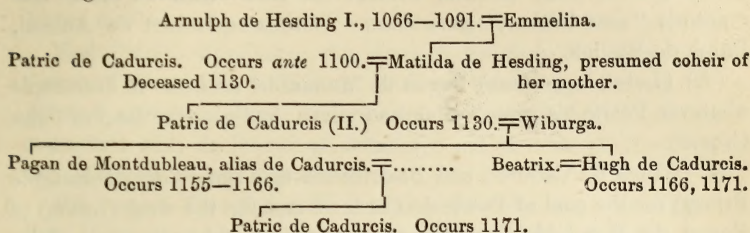
of the Danegeld assessed in the several counties of Oxfordshire, Wiltshire, Gloucestershire, Bedfordshire, and Berkshire. Here there are five of the ten principal counties in which Hesdin's Domesday fief lay; and here we have another collateral proof that long before the death of the second Ernulf de Hesdin in 1138, the fief of the first Ernulph has passed in other than a male succession.

Of Patric de Cadurcis (II) we should now state that he was unquestionably father of Pagan de Mundublel, the baron of the Liber Niger; but whether he (Patric II.) succeeded his father Patric (I.) before the year 1130 or after the year 1135 there is a question. The Gloucester Chartulary, well supported by the Pipe Roll, indicates the earlier period of succession; the Liber Niger, pointing to the grandfather of Pagan de Mundublel as the tenant in 1135, indicates the later. My own opinion is that the error is in the Liber Niger. The return from which the extract in question is drawn is evidently by a provincial jury, which might easily have been mistaken as to whether it was the father or grandfather of Pagan de Mundublel who had been seized of the fief in the particular year 1135.

Neither can we say certainly when it was that Pagan de Mundublel succeeded his father Patric de Cadurcis (II.) It was between the year 1135 and 1158; for the Gloucester monk, speaking of that abbey's acquisitions in Kempsford says that "*Paganus filius Patricii de dono suo concedit ut ipse et heredes sui propriis operariis et proprio custu facient metere et incartare decimam dominii sui de Kynemerforde;*" and, speaking of this and all previous acquisitions collectively, he says that John Bishop of Worcester confirmed them and gave four mercates in Kempsford church of his own gift. Now, John Bishop of Worcester died in 1158. The known era therefore of Pagan de Mundublel is 1158-1166, as above ascertained; but we may enlarge this era a little, and state him to occur as early as 1155.—

There is in the office of the Duchy of Lancaster an original charter of Henry II. It is dated at Northampton, and from its witnesses' names, and other circumstantial evidence, may be proved to have passed in January 1155. By this charter, thus passing immediately after his own accession, the king restored (*reddidit*) "*Pagano de Monte Dublelli totam terram et tenementum quod fuit Patricii de Cadurcis avi sui per totam Angliam.*" Witnesses, Arnulf Bishop of Liseux, Thomas the Chancellor, Geoffry the king's brother, William the king's brother, Reginald Earl of Cornwall, Richard de Humez constable, William FitzHamo, and Manasser Biset dapifer.

I now venture on the following tabulation of the descent from Hesding to Mundublel:



Some extracts from the Register of Dunstaple Priory will serve further to illustrate the descent of Cadurcis as drawn in the above pedigree. I should premise that Toddington, Chalgrave, and Chaul-ton lie within five miles to the north of Dunstaple, and that the two former (written Dodintone and Celgrave) were Domesday manors of Ernulf de Hesding.<sup>1</sup>

In the time (as I suppose) of King Henry I. Patric de Chaurz and his wife M. (Matilda) certify the King of England that "we have given one virgate of our demesne of Chaltun" (to Dunstaple Priory) "pro animâ Arnulfi ancessoris nostri."<sup>2</sup>

Another deed expresses a like grant of a hide of land in Chaltun. About 1130-5 King Henry I. confirms to Dunstaple "unam hidam in Chaltun quam Patricius de Cadurcis (dederat)." Witnesses, Roger Bishop of Salisbury, Robert de Ver. At Westminster.

And again, King Henry II. confirms the same gift of a hide in Chaltun to be held by the Priory as the Priory held it in the time of Henry the King's grandfather, and as the charter of his grandfather did certify.

Another series of charter quotations will prove or illustrate still further points in the pedigree—

(1.) P. de Cadurcis (the second Patric I presume) dedit Johanni del Egle dispensatori suo terram de Ferlei. Witnesses, Hugh de Cadurcis, Robert de Aubeni.

(2.) Wiburga, mother of Pagan de Mundublel, addressing Gubert, Prior of Dunstaple, certifies her permission to John Crasset (identical with John del Egle, I presume) to mortgage the land which Patric de Chauard (*sic*) gave him, either to the priory or to any other party. Witness, Cecily mother of Robert de Aubeni.

<sup>1</sup> Domesday, fo. 212.

<sup>2</sup> Harleian MSS. 1885, fos. 21, 25, 26, 30.

(3.) Pagan de Cadurcis (clearly identical with Pagan de Mundubel) grants (or confirms) to John Crasset the land which "Patric," the grantor's "grandfather," gave him. Witnesses, Robert de Aubeni, Ralph de Ruillon.

(4.) (Later, I presume) Pagan de Mundubel confirms to Dunstaple whatever Patric his grandfather had given, and also the land of John Crasset.

(5.) Hugh de Cadurcis and Beatrice his wife concede (to Dunstaple Priory) for the soul of Patric de Carducis and for the weal (*salute*) of Pagan de Mundubel and his sons, the land which was once John Crasset's. The deed reserves "Pagano fratri meo et filiis suis jus canonicorum ad obitum," *i.e.* sepulture in the priory at their deaths.

(6.) Patric de Chuarz (*sic*) grants to Dunstaple, "sicut avus suus Patric de Cahurcis et pater suus, Paganus de Mundubel," (had granted).

(7.) In the year 1171 Patric de Caurcis mortgages for ten years to Dunstaple Priory twenty-four acres in Tundendune (Toddington), mentioning the (adjoining) land of Humphrey Franchevaler,<sup>1</sup> and dating the mortgage "a primâ paschâ postquam Thomas Archiepiscopus interfectus fuit" (that is from March 28, 1171). Witnesses, Hugh de Chaucris, &c.

I may now say what has to be said about the remaining or greater of the three portions into which, within a generation, the Domesday fief of Arnulph de Hesding was divided.

This portion went to Walter de Salisbury, whose wife, the mother of Earl Patric of Sarum, has I believe uniformly been called Sibilla de Chaworth by genealogists. I consider this to have been a misnomer, and that the mistake arose from genealogists having imagined that it was the Barony of Cadurcis (anglicised Chaworth), not the triple Barony of Hesding, which fell to coheiresses. The improbability of such a theory should have sufficiently appeared to one observing that a smaller portion remained with Cadurcis (the assumed male inheritor) than went to Salisbury with a presumed female and non-heiress in frank-marriage.<sup>2</sup>

<sup>1</sup> Humfridus Franchevalier is one of FitzAlan's tenants in another share of the Hesding fief in 1166. (*Liber Niger*, i. 145.)

<sup>2</sup> For, of course, those who assume Salisbury to have married a Chaworth, must mean the sister of a Chaworth if the male line still existed.

I consider that Edward de Salisbury's wife Sibil, was Sibil de Hesding, and that it was her sister Matilda who, having married Patric de Cadurcis, may have been somewhere called De Chaworth.

Earl Patric's inheritance of a Hesding fief from his mother, and his tenure of that fief in 1166, have been sufficiently pointed out for our present purpose. There are however two genealogical phenomena connected with the house of Salisbury and the fief of Hesding that should be stated and explained.

The second Humphrey de Bohun, whose era was somewhat later than Domesday, and whose father's portion in that record is next to nothing, acquired an extraordinary fortune with his wife Maud, the sister of Walter and the daughter of Edward de Salisbury. It might have been a correlative of this acquisition, but if not that, it was more probably an antecedent than a consequent, that the same Humphry de Bohun acquired a feoffment of two knight's fees in the fief which, at the time of Domesday, had been Ernulph de Hesding's. All I have further to say on the subject is, that in 1166, Humphrey de Bohun (IV) (grandson of the aforesaid Humphrey II.) holds two fees of old feoffment in the fief of Hesding; not in that portion of the fief which had gone to Salisbury, but that which had gone to De Cadurcis. (*Liber Niger*, i. 170.) How his greater estate, the Barony of Trowbridge, derived from Salisbury as a feoffment or gift in frank-marriage, had come to be a tenure in capite of the Crown, I never could imagine or discover, but so it was (*Liber Niger*, i. 109-111) in 1166.

Again, a daughter of Walter de Salisbury and a sister of Earl Patric de Salisbury, is said to have been the wife of Rotrou Earl of Perch. I will not take upon myself to say more about that alleged marriage, than that it is demonstrable in itself, and that it accounts for the interest which the Earls of Perch acquired in Hesding's fief.

Of this interest I will give a few substantive indications :—

Geoffry Earl of Perch (1191-1202), the founder of Sandleford (Berkshire), confirmed to Dunstaple Priory the lands which Patric de Cadurcis once gave, viz. the land of John Crasset, whose rent of 12*d.* Earl Geoffry remits. (*Harl. MS.* 1885, fo. 26*b.*)

This Geoffry Earl of Perche married Matilda of Saxony, the granddaughter of King Henry II. and niece of King Richard and King John. Hence in April 1203 a writ of King John designates her as "*carissima neptis nostra Comitissa de Pertico.*" (*Rot. Normann.* p. 87.)

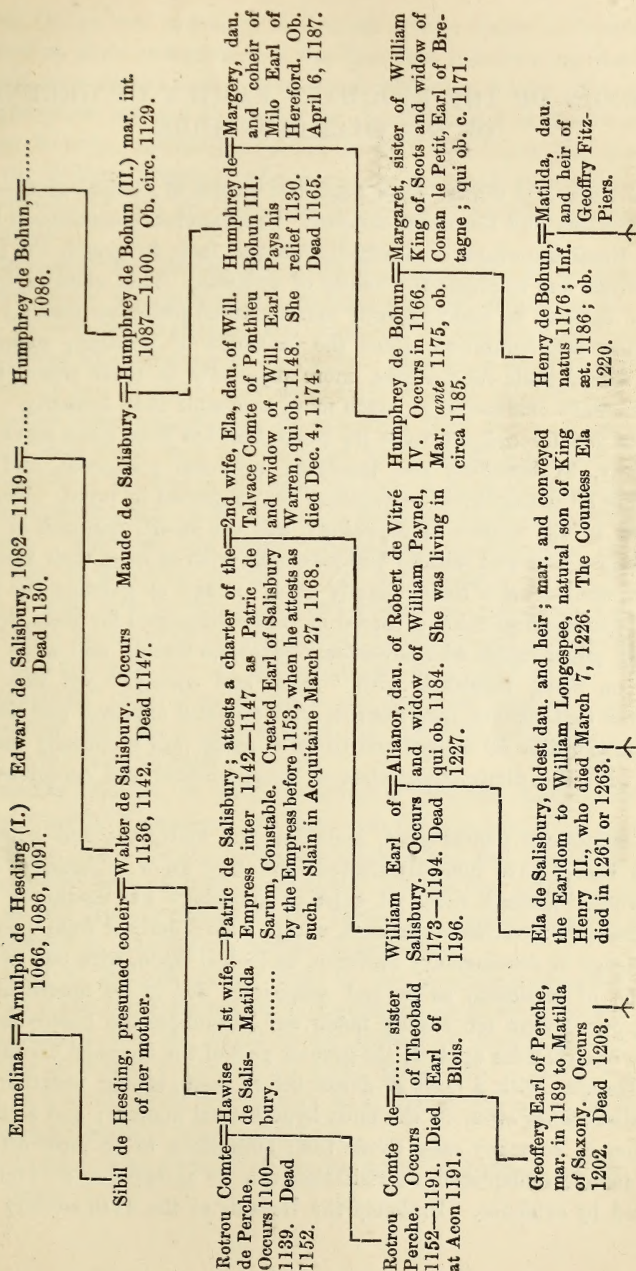
Now, as we have before said, Dodintone (*i.e.* Toddington) Bedfordshire was of the Domesday fief of Ernulf de Hesding. In 1205 Tudingdon (Bedfordshire) is entitled "terra Comitissæ de Pertico," and is consigned by order of King John to Peter de Rupibus (as an escheat clearly; and as being so by the severance of all English and Norman fealties). (See Rot. Normann. p. 131.)

And again, Ernulph de Hesding's Berkshire manor of Ulurinton (so described in Domesday) was identical with Newbury. There too the Earls of Perch acquired from Salisbury a prevalent interest such as enabled one of them to found Sandleford Priory. But in 1205 a writ of King John designates Nubiri as *terram Comitissæ de Pertico*, and consigns it to an escheator. (Rot. Normann. p. 142.)

I conclude the whole subject with a synoptical pedigree of the race of Salisbury and some of its collaterals.

I am, Sir, your obedient servant,

ROBERT WILLIAM EYTON.



## ORIGIN OF THE KNIGHTLY FAMILY OF GREENE, OF NORTHAMPTONSHIRE.

There are, and always have been, two classes of Genealogists,—the unscrupulous and the conscientious. Unscrupulous genealogists have in all times knowingly and wilfully falsified facts to gratify the pride of patrons and to please the vanity of upstarts. This class is by no means extinct, as many recently manufactured pedigrees testify; but exposure and refutation, since the invention of printing, sooner or later follow their fabrications, more especially in these times, when documentary evidence is so much more accessible than formerly. *The Herald and Genealogist* since its institution has done some service in this way, by branding and falsifying mythical pedigrees, and unmasking all genealogical pretensions not supported by proof. Though novices in the sources of genealogy, and the *modus operandi* of constructing a true and faithful pedigree, who wish to have their ancestry traced, and to know their “family arms,” accept as genuine the often costly genealogical rolls, prepared or rather concocted for them, by the trading genealogists who advertise “pedigrees found,” and arms supplied on being furnished with “name and county;” yet this is a business that cannot long flourish after repeated exposure and denunciation, and, like all dodges and tricks of trade, will eventually succeed only with the diminishing class of inexperienced and credulous victims.

Conscientious genealogists, including the historians and annalists of all times, have honestly related what they knew or believed to be the truth. Though much of existing genealogy has emanated from this class, it nevertheless cannot, except where derived from personal knowledge or documentary evidence, be looked upon, with our present notions of criticism, as beyond suspicion: for in an uncritical age assumptions were too readily made and inferences too hastily drawn. These observations apply to the greater part of the Heralds’ Visitations. The Heralds, with a mass of deeds before them, strung together and affiliated names often in the most hypothetical manner; and as investigation in so many cases shows their affiliations to be incorrect, and their matches misplaced, no visitation can be accepted as accurate till verified by evidence. Probably the Heralds of the 17th century have

rendered themselves amenable to distrust by the simple circumstance of recording their pedigrees in a way that does not draw any distinction between a proved and a conjectural affiliation, for few, if any, of their pedigrees indicate the latter by the practice of dotted lines; a practice, however, faithfully observed by that most exemplary genealogist Sir William Dugdale, who is very careful, both in his *History of Warwickshire* and his *Baronage*, to denote a doubtful descent in this manner.

The sceptical and overhauling spirit of our age acts on the precept *Prove all things*, and fearlessly examines accepted beliefs, probes all myths, legends, and traditions, and questions all historical statements not supported by contemporary testimony. This spirit must be applied to genealogy and heraldry, and to all their recorded explanations and tales, before these sciences can be redeemed from the reproach and contempt with which they are regarded by those educated men who have no special knowledge of them, or have formed their opinion of them from the fanciful, extravagant, or dishonest productions of their professors. The task set before the scientific genealogists of the present day is therefore no trifling or inconsiderable one. As in history, it must be a process of reconstruction, not reparation or renovation. The fabric must be pulled down to the ground and *rebuilt*, it may be with many of the old materials, but they must be all "fitly joined together;" or, to drop metaphor, old pedigrees must be analysed and dissected and put together again on scientific principles or according to the rules of legal evidence.

Our county histories, in their genealogical contents chiefly derived from the Heralds' Visitations, are thus, with few exceptions, of doubtful authority. Mr. Hunter's *South Yorkshire* has the advantage of being compiled by a critical genealogist; but the best model in this respect is Mr. Eyton's *Antiquities of Shropshire*, whose pedigrees are all constructed *de novo* from authentic materials.

The train of thought giving birth to the preceding observations arose from a puzzled examination of a pedigree given by so careful an historian as the late Mr. Baker in his *History of Northamptonshire*, the results of which I propose to place before the readers of the *Herald*, and which show how fiction lurks under the most plausible and apparently truthful relation of facts.

The following is an abstract of the pedigree in question, as given by Mr. Baker (i. 32):—

## BOKETON AND GREENE.

ARMS.—*Azure, three bucks trippant or.*

Alexander de Boketon, 4 John.

Walter, son of Alexander de Boketon, 20 Hen. III. and 2 Edw. I.

John, son of Walter de Boketon, ob. 7 Edw. II.

Thomas de Boketon,	—	Alice, dau. and co-heir of Sir Thomas de Boltesham
13 Edw. II.		of Braunston.

Lucy, dau. of Ivo or Eudo Zouch, of Harringworth, by Milicent sister and co-heir of George Cantilupe.	—	Thomas de Boketon, son and heir, æt. 12 ad mortem avi Thomæ de Boltesham 1304. M.P. 17 Edw. II. 11, 12, 17 Edw. III., sheriff 4-17 Edw. III.; bur. at Boughton.	—	Christian, dau. and co-heir of Iwardby.
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Sir Henry Greene, serjeant-at-law and Chief Justice, had gift of Boughton Fair, 25 Edw. III.; ob. 1369, bur. at Boughton.	—	Catherine, dau. of Sir John and sister of Sir Simon Drayton.	—	Sir Nicholas Greene, of Exton, co. Rutland.	—	Joan, dau. and co-heir of Sir John Bruce.
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Sir Thomas Greene, of Boughton and Green's Norton, æt. 25 ad mortem patris; ob. 1391, buried at Norton.	—	Ma- ble- thorp.	—	2. Sir Henry Greene, of Drayton.	—	Mau- duit.	—	Coheirs, mar. Colepeper and Holand.
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Sir Thomas Greene.	—	John Greene, ob. 11 Hen. VI. —.....
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Sir Thomas Greene.

Sir Thomas Greene.

Sir Thomas Greene.

Sir Thomas Greene, ob. 1506 —.....

Coheir, ux. Sir Thomas Parr, of Kendal.

The question that arises on inspecting this pedigree is how the last Boketon's alleged son, Sir Henry Greene, came to take the name he bore. This change of name has hitherto been explained by that fanciful derivation which has been applied with confident credulity to such names as Eyre, Bulstrode,<sup>1</sup> and others. The author of that

<sup>1</sup> The legendary origins of these names, as given in Mr. Lower's *Patronymica Britannica*—

“BULSTRODE—an estate in co. Bucks long possessed by the family. When William the Conqueror gave away the estate of the head of the family to a Norman follower, he and his adherents *mounted upon Bulls* resisted the invaders and retained possession. Afterwards accompanied by his seven sons, mounted in the same fashion, he went under safe conduct to William's court, and the Conqueror was so much amused with the strangeness of the scene, that he permitted the stalwart Saxon to hold his lands under the ancient tenure, and conferred upon him and his heirs for ever the surname of *Bullstrode*.

“EYRE.—The traditional origin of this name is that a Norman knight at the battle

sumptuous work, Halstead's *Genealogies*, finding that Thomas de Boketon was succeeded by Sir Henry Greene, presumes first that he was his son, and, secondly, unable to account for the change of name, hazards the pretty conceit that De Boketon took the name of Greene (which he does not show was ever the case) from attachment to his beloved lordship of Boketon, *where there was a green on which markets and fairs were held!* And this puerile notion so careful a genealogist as Mr. Baker quotes and accepts without protest. The pedigree, as given by Mr. Baker, and which in the early part is evidently taken from the Visitation of Northamptonshire 1618, is so consistent in dates and other circumstances, *i.e.* on the face of it, that it appears well established, and the only wonder is why the name of Boketon should be altered to Greene. But this at first sight seems to be one of numerous cases where a family changed its name, but not its arms, on acquiring property with a heiress in marriage. And if it could be ascertained that there was a contemporary family of Greene of rank and considerable possessions, the difficulty would be easily got over. But no family of Greene answering this description previously existed in Northamptonshire; and the property owned by Sir Henry Greene, the alleged son of De Boketon, can be shown to have formerly belonged to De Boketon or to have been acquired by him in his life-time, he having been a successful lawyer and made money by his profession.

I will now produce some facts gleaned from those unerring records, Final Concords, which appear to have been unknown to Mr. Baker, and which are inconsistent with the Visitation pedigree, giving room for another theory of the change of name, and probably the true one.

By fine of 14 Edw. III. Thomas de Boketon, chivalier, and *Johanna* his wife (the names of his alleged wives were Lucy and Christiana) conveyed to Henry de Grene of *Isham* [co. North.] *junior*, the manors of Brampton and Boketon. In another fine of the same year *Thomas de Grene of Isham* occurs. Henry de Grene junior occurs as such four times afterwards, viz. 14, 17 and 18 Edw. III., in one case with *Amabilia* his wife (who was evidently his first wife, as he married *Catharine* Drayton, a heiress according to the pedigree) whose inheritance went to his second son, Sir Henry. In 25th Edw. III. he occurs without the affix "*junior*;" so his father or uncle of the same name was then dead.

of Hastings succoured Duke William of Normandy and gave him *air* when he was in danger of suffocation. The true meaning of the name seems to be *heir*, since the Hundred Rolls give the forms of Le Eyr and Le Eyre."

From all this we learn that there was contemporary with Sir Thomas de Boketon *a family of Greene living at Isham*. One of this family, the father of Sir Henry Greene the Chief Justice, probably married the sister of de Boketon, and thus on the presumed want of offspring of the latter his nephew Sir Henry Greene became his heir.<sup>1</sup> It must be remembered that there is *no proof* that Sir Henry was son of De Boketon; and even on that supposition it is improbable he would have given up the ancient territorial name of De Boketon to take the obscure name of Greene, even if that were his mother's name and she a heiress; and the fact of the contemporary existence of a family of Greene, of whom Sir Henry was evidently a member, renders the puerile fancy of the name being taken from *the Green* at Boketon quite superfluous, and this doubly so by the fact that, in 27th Edw. III. Sir Henry *purchased* the manor of Green's Norton, co. Northampton, then and afterwards distinctly named from him.

We now come to consider the parentage of Sir Nicholas Greene, an alleged other son of Sir Thomas de Boketon. In Halstead's work (p. 160) there is given a charter dated 26th Edw. III. of William de Pateshull to Henry de Greene and to Thomas his son of the manor of Heyburne, co. Bucks, with *remainder to Nicholas de Greene nepoti predicti Henrici*. This is evidently the Nicholas de Greene mentioned in the *Inquis. Post Mortem* 33 Edw. III. as husband of Joanna sister and coheir of Bernard son of John Bruys (Bruce). And this Joanna is mentioned as widow of Nicholas Greene in the Inquisition on her death 9th Hen. V. Nicholas was thus nephew of Sir Henry Greene and his heir in remainder after the death of his own son Thomas then aged 9 years. And dates here, independent of the considerations before stated, make it improbable that Sir Nicholas was son of Sir Thomas de Boketon.

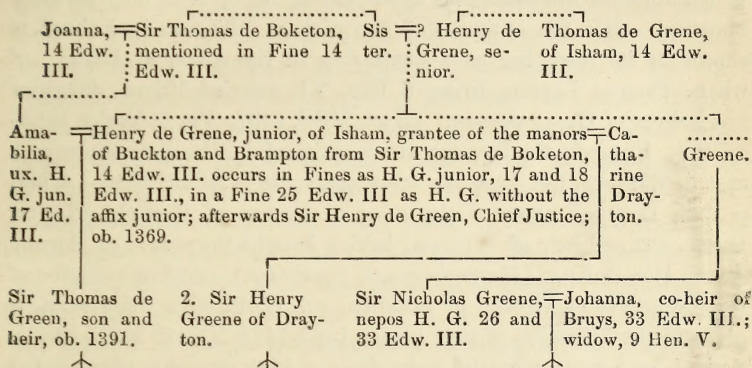
With respect to the alleged matches of Sir Thomas de Boketon with Zouche and Iwardby there is no proof nor even presumption of their reality, though these two families (as there is evidence to show) were connected with the Greens. In Luffwick church there are impalements of Iwardby and Bruce, and Zouche and Greene: and a fine was levied 25th Edw. III. in which William de la Zouche of Haringworth and Henry Greene were parties.

Another branch of the Greens who bore stag's heads was settled at Hayes in Middlesex, of whom much mention is made in *Herald and*

<sup>1</sup> Amabilia one of the wives of Sir Henry Greene might have been daughter and heiress of Sir Thomas de Boketon.

*Genealogist*, i. 211. Walter Greene of Bridgnorth was father of Walter Greene of Hayes, who died 1456; who left by his two wives a numerous family.

The following in part conjectural pedigree embodies the views and facts contained in the foregoing observations:—



It will be desirable now, in accordance with the title of this article, after having attempted to show that the origin of the distinguished and knightly family of Greene is not what it has always been supposed, to inquire what might have been their real ancestry, and from what county they sprang, as they do not appear to have been indigenous to the county of Northampton. Notwithstanding, from the local character of the name, probably most counties have produced as many distinct families of Green, many of which have never emerged from their original obscurity. The Greens of Yorkshire were very numerous, and several pedigrees are given in the visitations with different arms. 1316 Thomas del Grene was one of the lords of the township of Newsholme [in Craven] (Parl. Writs) temp. Edw. I. Henry Greene of Yorkshire was an outlaw. (Inq. p. m.) 1319 Clement del Greene occurs in that county. 47 Edw. III. to a charter of Thomas del Grene of Adyngham is appended the seal of Richard de Frekelton, a chevron between three fleurs de lis. (Harl. MSS. 245, p. 128.) John and Gabriel Greene of Newby bore Argent, a chevron between three fleurs de lis sable. (Harl. MSS. 1394, Vis. of Yorks. 1585.) 8 Eliz. Gabriel Greene bought the manor of Horsforth; whose ancestor, Thomas Green of Newsom in Craven, is said to have married Jane daughter and heiress of Robert Horsforth, circa 3 Henry VI. (Whitaker's *History of Leeds*, p. 214.) Thomas Greene in 1585

(Harl. MSS. 1394) bore Argent, on a cross engrailed gules five crescents or, on a chief azure three bezants. This is evidently the coat borne by those of Horsforth, of whom a pedigree is given in the same visitation with the remark *non probat arma*; but in the visitation of 1666 the arms given to this family are, Argent, a cross engrailed gules, which must be the same coat as the above, but by error only partially blazoned. But the antiquity of this coat, as fully described above, is shown by its occurring as a quartering in the shield of Layton, of whom Thomas Layton, living 6 Hen. VI. married Elinor, daughter and heiress of Henry Greene. (Harl. MSS. 1487, Vis. of Yorks. 1585-1612.) Precisely the same arms are assigned in the dictionaries as a coat of Barnaby, but doubtless erroneously, for in Addit. MSS. 18,581, p. 196, they are given as the arms of Greene of *Barnaby*, Thomas Green, son and heir of William, having bought the manor of Barnby on the Don 5 Eliz. (Hunter's *South Yorkshire*.) And a pedigree of three descents of Greene of Stanlich, co. Wilts, with these arms, is given in the Visitation of that county 1565-1623. (Harl. MSS. 1443). Argent, on a cross engrailed gules five crescents argent is given in the dictionaries as the coat of Greene of Norfolk. 3 Edw. II. Richard atte Greene was owner of the manor of Green's Hall in the parish of Rougham, in that county. 1345 Henry atte Green occurs; and persons of the name had considerable property in the county, including families who also bore three buck's heads for arms.

In a short article in the *Herald and Genealogist* (vol. iv. p. 448) I have given a tabular pedigree showing that the crest of a maiden's head coupé was borne by the families of Parr, Elmes, Tanfield, and Gainsford all lineally descended through marriage from the father of Sir Henry Green the judge. This circumstance, coupled with the cross and crescents borne as arms by the Greenes of Yorkshire has induced me to think the Greenes of Isham came from that county.

Feb. 9, 1870.

W. S. ELLIS.

## NOTE AS TO EDWARD RYE OF WHITWELL.

Edward Rye of Whitwell, after disposing of his ancestral property at Whitwell, in 1583 (see p. 38), seems to have resided for a while at or near Aston,<sup>1</sup> a parish situate about six miles south-east from Rotherham, in Yorkshire, where was once a seat of the noble family of Darcy. During the reign of Elizabeth, Aston was the residence of John Lord Darcy, to whom the care of the town of Doncaster was committed during the rebellion of the two Northern Earls of Northumberland and Westmerland in 1569. He died in 1602. There are still existing some traces of Lord Darcy's residence at Doncaster. On the ceiling of a cottage once forming a portion of a much larger house, in the rear of premises in Frenchgate,<sup>2</sup> are to be seen the arms of Darcy, Meynell, Tempest, Skelton, Lucy, Swine, &c., all of them alliances of Darcy. This house, it is likely, when no longer required by Lord Darcy, passed in some way to Mr. Edward Rye, as is evidenced by a moulding of the arms of Rye, impaling Wentworth, in the centre of an ornamental ceiling in a large chamber there, now or lately occupied as a school-room, Mr. Rye's wife being Maud daughter of John Wentworth, esq. of North-Elmsal.<sup>3</sup> The same coat was also formerly to be seen in one of the windows of the parish church of Doncaster. But, even whilst resident at Aston, Mr. Rye appears to have possessed a house in Doncaster: for, in a deed, which I have seen, dated 16th Oct. 41st Eliz. 1599, and made between Edward Rye, esq. of Aston, and Francis Mapples, of Doncaster, gentleman, it is recited that the latter had become bound to the former by statute recognizance of 12th Oct. instant, acknowledged

<sup>1</sup> See Hunter's *South Yorkshire*, ii. 161—177. The author observes, "Aston undoubtedly derives its principal interest from having been for many years the residence of Mason, who composed at Aston some of his most beautiful works, and who reduced to practice his rules for English gardening in the garden which pertained to his rectorial manse. But independently of its connection with the muse and fame of Mason, Aston has to boast a series of resident lords, amongst whom are persons of great distinction and celebrity." Hardwick, the manor stated at page 38 *antea* to have been bought by Edward Rye of George Mirfield, *ante* 1692, is in the parish, and has become united with the manor of Aston. (Ib. p. 171.) Lewis West purchased lands in Brierley, Cudworth, Darton, and Newport-well of Bryan Rye. (Ib. p. 176.)

<sup>2</sup> Late the property of Mr. Joseph Clark, but now of the devisees of the late W. H. Forman, Esq.

<sup>3</sup> In the pedigree of Wentworth of North-Elmsal, printed in Hunter's *South Yorkshire*, ii. 454, the match occurs with "Edm. Rie."

before Christopher Consett, mayor of York, for 1,000*l.*, conditioned that he should pay to Mr. Rye 700*l.* upon the 1st of Nov. 1603, "att or within the house of the said Edward Rye in Doncaster."<sup>1</sup> His connection with this town in that year is further shewn from the record of the burial, on the 26th Dec. 1603, of "Edward the sonne of Edward Rye, esq."; and again, in 1606, when, on the 26th of June, "Mrs. Mawde Rye the wife of Mr. Edward Rye esquier" was also interred. From this point backwards to 1590 I have searched the registers without meeting with either the baptism or burial of any other of his children. The name, however, once occurs in the baptism, 7th July, 1596, of "Anne the doughter of John Rye."

Sarah Rye, one of the daughters of Edward Rye named in the Visitation Pedigree, 1611, appears to have married 1st George Poge, and 2ndly, Hercules Foljambe,<sup>2</sup> of More Hall, Derbyshire; and thereby hangs a tale, which, in connection with the general account of the family of Rye, it may not be out of place, or devoid of interest, to introduce here.

In *The Romance of the Peerage*, by G. L. Craik, 1848, Appendix to vol. i. p. 415, is a note respecting "Foljambe's Divorce Case," which appears to relate to this Hercules Foljambe. It is there stated, on the authority of the original depositions taken in the case, that the matter came before the Court of Star Chamber in February, 1602, under the title of *Rye v. Foljambe*, and that the defendant, Hercules Foljambe, had been divorced for his adultery from two wives, who were both alive when he married a third, Sarah Poge, a widow with children, the daughter of the plaintiff Edward Rye, of Misterton, Notts. The complaint which he was called upon to answer was, that he had, in right of Sarah Poge, whom he called his wife, seized the manor-house, &c. of Misterton, held by lease from the chapter of York, and had by force kept out Rye, who maintained that he was the lessee, not his daughter, as Foljambe asserted.

My late friend Mr. Hunter, the historian of South Yorkshire, informed me by letter, 14th March, 1850, that he had looked into the original papers at the Chapter House, Westminster, in consequence

<sup>1</sup> Edward Rye of Doncaster, esq. and William Phellips of Lincoln's Inn, esq. by deed dated 8th May, 3 James I. sold to Stephen Waterhouse of Mortlake, Surrey, gent. a capital messuage called "the White Hart" in Doncaster, with 30 a. of meadow lying in Crunsall, and closes called "the Willow Garth," "the Cosin Orchard," and "the Well Close," with 6 a. of arable land in the fields of Doncaster. (Close Roll, 3 James I. Part 21.)

<sup>2</sup> See pedigree of Foljambe, *South Yorkshire*, ii. 60.

of the allusion made to them in the appendix to Mr. Craik's book, and that there was nothing that he could find or hear of touching the question whether Foljambe divorced his wives or the wives divorced him, unless, as he observed, there were other documents in that depository with which the keeper was unacquainted.

"What I saw (says Mr. Hunter in his communication,) were, 1st. The plaintiff's (Edward Rye) bill in the Star Chamber; 2ndly. The reply of Hercules Foljambe; 3rdly. Interrogatories administered, at the instance of the plaintiff, to Foljambe, and three of his principal confederates, Godfrey Garratt, of Eckington, gent. Francis Gregory,<sup>1</sup> of Stockwith, gent. and Robert Baxendale; and 4thly. Their answers to the said interrogatories. These are the only documents I saw, and understood that there are no others touching the case.

"In substance (continued Mr. Hunter,) the affair was this: Sarah Poge, a daughter of Edward Rye, of Aston, esq. married Mr. George Poge, owner of the manor of Misterton and lessee of the parsonage under the Dean and Chapter of York.<sup>2</sup> Poge dies about 1597, leaving Darcy Poge, his son and heir, and four other children. Rye gets the wardship of his grandchild Darcy Poge by grant from Gervas Elwes, esq. whose right to grant it is disputed by Foljambe, and he gets also a renewed lease of the parsonage to himself, as Foljambe alleges, to the injury of the Poges. Being thus in legal possession he allows his daughter and her children to remain in the house at Misterton, and to enjoy the use of the furniture, &c. for the benefit and education of her children, which she did for about two years 'till Foljambe with his confederates, Garratt and Gregory, by wicked practices inveigles her into a marriage with Foljambe, and induces her to make certain conveyances, &c.' The plaintiff applies very harsh terms to Foljambe, 'a man of most wicked life and lewd behaviour, professing himself to be a captain,' &c.; and it is a special allegation that it was notorious that there were two gentlewomen still living to both of whom he had been married. This is admitted by Foljambe, but he alleges that he had been divorced from both of them by sentence of the Bishop of Lichfield and Coventry in the one case and of Dr. Cosin in the other. It is not alleged that the existence of these two former wives rendered the marriage with Sarah Poge a void contract, Rye resting his claim on being the rightful owner of everything at Misterton. Rye asserts that his daughter had become acquainted with the previous

<sup>1</sup> See pedigree of Gregory, *South Yorkshire*, i. p. 211.

<sup>2</sup> They were married at Aston 26 December, 1592.

marriages during the six weeks in which she lived with her husband Foljambe; but Foljambe insists upon it that she knew the facts before they were married, and, with less than the usual gallantry of a soldier, he asserts that, so far from the lady being in any way inveigled into the marriage, she was quite as anxious that it should be brought about as he was, and indeed more so. However, she leaves him; but it rather appears that she returned, and then began a little war between the friends of Foljambe and those of Rye, the latter's chief assistant being a Wentworth, and Foljambe collecting about him near sixty people, who cut down the corn in the fields of Misterton,<sup>1</sup> and marched in warlike order led by Foljambe, and with pistols, swords, &c. a drummer going before them. The Nottinghamshire justices were divided in their opinions on the merits of the case; the two John Thornhaughs and William Gilby siding with Foljambe, while Sir John Holles, Bryan Lassels, and Samuel Bevercotes took the part of Rye. Foljambe is left in possession; when the plaintiff asks that he may have a *subpœna* to cause him to appear in the Star Chamber, there to receive such award as the Court may make." He was buried at Rotherham, 27th November, 1632.

CHARLES JACKSON.

*Doncaster, Nov. 5, 1869.*

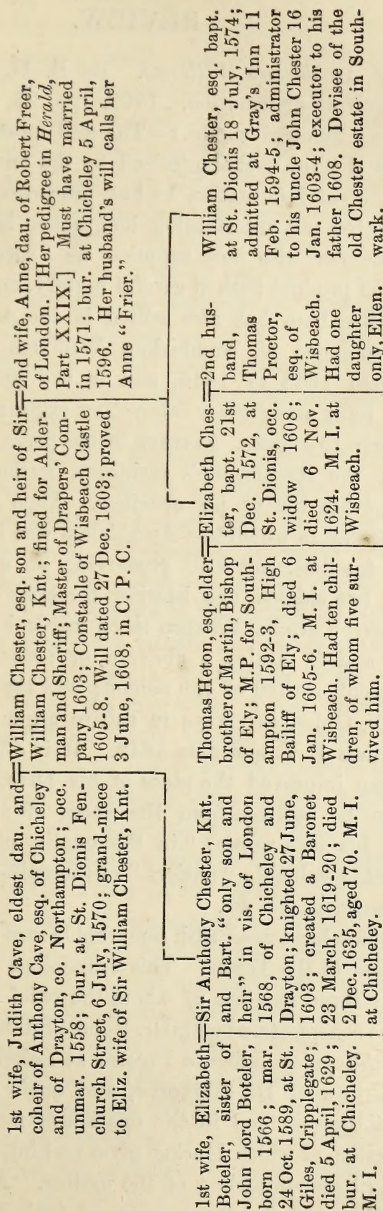
<sup>1</sup> In casually looking through the wills at York I noticed the occurrence of the name of Rye in this part of Nottinghamshire. 12 Oct. 1598, administration of John Rye, late of Scaftworth, in par. Everton, Notts, to Elizabeth Rye his relict. 4 April, 1648, probate granted of the will of Richard Rye, late of East Retford, Notts. to Elizabeth Rye, widow of deceased, one of the executors.

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WILLIAM CHESTER, HIS WIVES AND CHILDREN.

Sir,—Permit me to supply you with the true account of William Chester, his wives and children, in correction of the footnote appended to the Pedigree of Freer in your Vol. V. p. 429.

Yours, &c. TEWARS.



CHESTER, Baronets.

## REVIEW.

*Notices of Archbishop Williams.* By B. H. BEEDHAM. London: printed for private distribution. 1869. pp. 95, vii. (The impression limited to one hundred copies.)—The well-known Life of Archbishop Williams by Hacket is characterized by the minuteness of its details, and the historical information he has interwoven with his narratives, and that devoted and entertaining biographer has a suitable successor in the gentleman who now supplies this supplement of additional “notices,” the product both of careful inquiry, and of personal observation. Mr. Beedham has also edited in the *Archæologia Cambrensis* the correspondence of Archbishop Williams and the Marquis of Ormonde from 1643 to 1646, and in the present *brochure* he has brought to light many other interesting original letters from various public and private sources. Further, he has personally visited the several localities of the Archbishop’s residence, gathering from each some memorials of his life or his charities. Thus he describes (p. 6) the house at Conway in which the Archbishop was born, now inhabited by many poor families, but still preserving on a chimney-piece in an upper room two shields, one bearing the arms of Williams: 1 and 4, Gules, a chevron ermine between three men’s heads in profile coupéd argent; 2 and 3, Gules, a chevron or between three stag’s heads caboshed argent, attired of the second; and the other the arms of the See of York, Gules, two keys in saltire argent, in chief à crown or: with the initials I. Y. and date 1642. It is a memorial of the Archbishop having improved the place of his birth, and made it his residence, when he retired from the cares of state, and returned to Conway (in his own words) “in the quality of a poor private man.” There are other valuable “notices” of the episcopal palaces of Nettleham and Buckden, &c. &c.

Mr. Beedham has traced with remarkable care the machinations which sent Williams to the Tower. This scandalous transaction was mainly managed by three persons, of whom the chief was Sir John Lambe; the other two conspirators being Dr. Robert Sibthorpe, Vicar of Brackley, and Henry Alleyn or Allen, a Proctor at Leicester. Sir John Lambe was father-in-law of Dr. Sibthorpe, and uncle by marriage to Alleyn, to whom Sibthorpe stood in the relation of father-in-law. This intimate connection, of which Hacket gives no hint, furnishes an important clue to a right understanding of the matter. A fourth person mixed up in the affair, and for the purpose of toning down the colour of a

family plot, was Reginald Burdon, D.D. Rector of Leire, a surrogate of Sir John Lambe for the archdeaconry of Leicester. Lambe was at first a proctor at Northampton, which town he quitted for Rothwell. "His history is that of a man who set himself to obtain wealth and to rise in the world without being in either case too scrupulous as to the means. He was successful in both respects, for he acquired large possessions, and he became judge of the chief court of the primate of all England." His first known preferment was that of Chancellor of the diocese of Peterborough, in 1615. In 1617 he became commissary of the dean and chapter of Lincoln in their peculiar jurisdictions. In 1621 he was knighted, through the influence of Williams. But by that time his mal-practices had become notorious, and were much complained of in Parliament. He, with others, was charged with destroying, defacing, or ante-dating, the evidences of estates in Northamptonshire which belonged to Catesby one of the Gunpowder conspirators, in the view of preventing the estates, which had become forfeited, from passing into the possession of the Crown or its grantees. In 1630 the eyes of the Bishop were quite open to his character, and he declared that, if there were a Parliament, he would call Sir John Lambe in question. At this time Lambe is accused of having usurped two ecclesiastical offices in the Diocese of Lincoln, and having procured Secretary Dorchester to signify the King's commands to the judges to withhold judgment against him when the rightful owner had recourse to his legal remedy. These are only a few of the salient points of Lambe's career which have been traced by Mr. Beedham. It is satisfactory to know that at last he did not escape the mercies of the Long Parliament, but was forced to disgorge some of his ill-gotten gains. "He had the honour of being impeached with Cosin; and, amongst the witnesses against him, glad no doubt to assist in crushing him, was the renowned original of Hudibras, Sir Samuel Luke."

Williams became the owner of vast estates in Wales, chiefly in his native county of Carnarvon, where he acquired both Cochwillan and Penrhyn, the properties of his paternal and maternal ancestors—originally derived from a common stock. Both those estates had been alienated by his cousins a few years before. From the time of the archbishop they have passed entirely by inheritance, though by no means in lineal descent. Penrhyn, enriched in modern times by its celebrated slate-quarries, now bears on its breast the finest mansion in North Wales. It came on the archbishop's death to his nephew Sir Griffith Williams, made a Baronet in 1661,—whose will is printed at

length by Mr. Beedham: afterwards, through a sister of Sir Griffith, to the family of Warburton; and then by marriage to Richard Pennant, esq. who was created Lord Penrhyn (of Ireland) in 1765: subsequently to Dawkins, and lastly to Douglas (of the Earl of Morton's family), both of whom have also taken the name of Pennant, and in the present owner the dignity of Lord Penrhyn was revived, as a peerage of the United Kingdom, in 1866.

But, whilst such has been the succession of the Lord Keeper's principal estates, the representation of the male line, with the title of Baronet, is still existing, and vested in Sir Richard Bulkeley Williams Bulkeley, of Baron Hill in Anglesey, who assumed the additional name of Bulkeley in 1827.

Mr. Beedham's "Notices" comprise a bibliographical list of the writings of the Archbishop, and of works relating to him; and also a long list of his portraits, both paintings and engravings, the latter contributed by Mr. Scharf, the Keeper of the National Portrait Gallery. We would suggest that a collection of his official seals would form an additional feature of interest.

We understand that Mr. Beedham is still at work on the subject, and that he proposes to produce a larger work, illustrated by engravings, photographs, fac-similes, &c. and many letters of the Archbishop, confining himself to such as have been hitherto unpublished. He will thankfully receive any suggestions that may further his researches.

*Inedited Contributions to the History of Northumberland. Part I.* 8vo. pp. 96. (Newcastle upon Tyne: Stevenson and Dryden). We may congratulate the Northern antiquary on the preservation and production of the contents of this pamphlet, which consist of, 1. Materials for the History of Northumberland, written about 1729-30 by the Rev. John Horsley, M.A. F.R.S. the author of *Britannia Romana*; and, 2. a Survey of a portion of Northumberland, made (in co-operation with Horsley) in the year 1734 by George Mark, surveyor. Both have been carefully edited from the original MSS. now preserved in the library of the Society of Antiquaries of Newcastle. They have much of that value which must always attach to the results of personal observation at whatever period they are noted down. Horsley, from his Preface, seems to have had in his view as models such books as the *Natural History of Oxfordshire*, and the *Natural History of Staffordshire*, by Dr. Plot, and Dr. Leigh's *Natural History of Lancashire, Cheshire, and the Peak in Derbyshire*; besides which the Rev. Thomas

Robinson had published in 1709 *The Natural History of Westmorland and Cumberland*, and Moreton had paid the like attention to *Northamptonshire*. The materials collected by Horsley and by his lieutenant Mark are in the main topographical, but they are accompanied by many valuable, if slight, notices of families and individuals.

Part II. will contain Notes on the History of Northumberland, by the late Ralph Spearman, esq. of Eachwick; and will be accompanied by a Preface and Index to both Parts.

Epitaphs from the Old Burying Ground in Watertown, collected by WILLIAM THADDEUS HARRIS, LL.B. Author of the *Cambridge Epitaphs*. With Notes by EDWARD DOUBLEDAY HARRIS. Boston. 1869. 4to. pp. iii. 70.

The regard paid by the Anglo-Americans to their genealogical records, so recent and comparatively unimportant as they undeniably are when weighed with the riches that are unheeded by ourselves, is enough to cover us with shame. Every line in an old cemetery is here set forth with careful accuracy, and illustrated with genealogical notes, that serve, *pro tanto*, the office of pedigrees.

The epitaphs were collected sixteen years ago by William Thaddeus Harris, who published a volume of *Cambridge Epitaphs* in 1845. They are edited by his surviving brother.

"The Burial Ground in Watertown, one of the oldest in the country, and second to none in interest, was in use as early as the year 1642. Here, with their feet towards the east, in conformity with the time-honoured custom, repose the ashes of the early settlers of the town—ministers, deacons, and laymen,—the heads of long lines of descendants, now scattered broad-cast through the land. Their monuments are gradually falling away. . . . Some of the older stones are nearly illegible,—some that were standing ten years ago are now broken down and destroyed. Yet amid the ruin and neglect there remains to us one consoling thought,—the fact that each monument, however indistinct its tracings, still stands where loving hands first placed it, and still covers the precious dust once deposited beneath it. The day of *Restoration*, happily in this respect for Watertown, has not yet invaded the precincts of the old grave-yard, and the old stones have not yet been marshalled into straight lines and geometrical figures."

The material used is a hard close slate. The oldest stone in the ground is that of Sarah Hammond, bearing date 1674. That of Hannah Coolidge, 1680, is decorated with a winged skull, an ornament which continued in general fashion throughout the last century. But in no instance do we find any armorial bearings.

It must be borne in mind that the families of Watertown have been illustrated with extraordinary fulness and completeness by the late Dr. Bond; and we add the title of his work: "*Genealogies of the Families and Descendants of the Early Settlers of Watertown, Massachusetts, including Waltham and Weston; to which is appended the early history of the Town, with Illustrations, Maps, and Notes.* By HENRY BOND, M.D. Second Edition, with a Memoir of the Author, by HORATIO GATES JONES, A.M. 1860;" an octavo volume of 1,100 closely printed pages. The remaining copies of this valuable book were bequeathed by the author to the New England Historic, Genealogical Society, and they are sold for the benefit of *The Bond Fund*, which is expended in the purchase of local histories and genealogies for the library of the Society. We may add that it carries up many of its genealogical details into the generations of the mother country, and among other matters of mark contains the portrait of a sturdy Commonwealth's man, Sir Richard Saltonstall, who was Ambassador to Holland in 1644. This portrait was there painted by the great Rembrandt, and it is still in the possession of his American descendants.

A brief Genealogy of the Usher Family of New England. By W. H. WHITMORE. Reprinted, with Additions, from the *New England Historical and Genealogical Register* for Oct. 1869. Royal 8vo. pp. 11.

"This family has been very prominent in New England, especially from the fact that John Usher (ob. 1726) was the proprietor of New Hampshire, and was involved in the numerous disputes connected with the settlement of that province." It was founded in America by two brothers, Hezekiah of Cambridge and Boston, and Robert of Stamford, Connecticut. Mr. Whitmore has not found any clue to their ancestry beyond the fact that John, son of Hezekiah, used a coat of arms. Hezekiah mentions in his will his brother John Harwood, who was living at Bethnal Green in 1665; and Hezekiah's daughter Elizabeth was the wife of Samuel Shrimpton of the same place.

Hezekiah Usher the younger (elder brother of John) married in 1686 Bridget, daughter of John Lisle one of Cromwell's Lords, and the widow of Dr. Leonard Hoar, President of Harvard College. The pedigree before us is continued for six generations, and comprises more than four hundred names. The only point we cannot understand in these American genealogies, otherwise so complete, is why, when persons have two baptismal names, one of them is generally concealed under an initial.

*Dod's Peerage, Baronetage, and Knightage, of Great Britain and Ireland, for 1870, including all the Titled Classes.* (Whittaker and Co.).—In its Thirtieth Year this inestimable synopsis of genealogical and biographical information is carried on by its present Editor with all the care and attention of which such excellent example was shown by the deceased founders of the work. There is a more than usual accession of new articles arising from the number of persons who have succeeded or been promoted to dignities and titles during the past year. They amount in number altogether to 135, whilst in the edition of 1869 there were only 116. Seven Peerages have been created with the title of Baron,—Acton, Castletown, Greville, Howard of Glossop, Penzance, Robartes, and Wolverton. One peerage of Scotland has been restored—Balfour of Burley (styled in Dod *Burleigh* only). The Barony of Windsor has descended to Mr. Robert George Clive from his grandmother; but this makes no addition at present to the House of Lords, as he will not attain his majority until 1878. The year has been remarkable for the number of new Bishops. Eight sees have been distributed, including the translations to London and Winchester; with one Colonial Bishop (Montreal). There have been nine creations of Baronetcies,—Sir Maziere Brady, Sir Hardman Earle, Sir William Fairbairn, Sir William Jackson, Sir James O'Connell, Sir David Salomons, Sir Titus Salt, Sir Francis Seymour, and Sir Joseph Whitworth. The Order of St. Michael and St. George was partly reconstituted in 1869, and many new Knights have been added to it. And of Knights Bachelors not a few have been dubbed, among whom we look with pride upon the names of Sir Thomas Duffus Hardy, Sir Anthony Panizzi, and Sir William Tite, who have rendered such good and such prolonged services in the domains of historical literature and antiquities; whilst we may fairly congratulate the well-deserved elevation of Sir Albert W. Woods to the first crown of the College of Arms and its attendant honours.

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DEBRET's Illustrated Peerage and Titles of Courtesy of the United Kingdom of Great Britain and Ireland. Under the immediate Revision and Correction of the Peers. 1870. London: Dean and Son, Ludgate Hill. 12mo. (8s. 6d.)

Debrett's Illustrated Baronetage, with the Knightage of the United Kingdom of Great Britain and Ireland. Under immediate Personal Revision and Correction. 1870. 12mo. (8s. 6d.)

It is now two years since we noticed these companion volumes: which have come to be regularly produced at the commencement of every year, "corrected to the middle of January." On the present occasion we are told that "The Peerage has been increased by Ten pages; the Biographical Sketches of the Younger Sons and Married Daughters of Peers (a feature exclusively belonging to DEBRET) by Eight pages; the Baronetage by Twenty-seven pages; and the Knightage by Thirteen pages." The Antiquarian and Historical Notes, interspersed throughout the Baronetage portion of this work, have been considerably extended; and the same feature

introduced, for the first time, into the Peerage portion. In his heraldry the editor is assisted by George Harrison, esq. the Windsor Herald.

Before concluding his Preface, the Editor recurs to a subject which we have already frequently noticed,—the fact that there is no law to prevent the assumption of the title of Baronet upon insufficient pretences. He advocates with reasonable cause such an ordeal for admitting the succession to Baronetcies as was suggested in our vol. iv. p. 6, or in the same volume, p. 281, and again urged in vol. v. p. 89; and, he adds, “I for one would pledge myself to insert in this work only those titles which were certified as being authentic.”

We no longer meet with Gibb, Fleetwood, Perrott, or Palmer of Wingham,<sup>1</sup> which had made their way into the lists of Baronets a few years ago: but it is still quite possible that others as unauthorised may quietly from time to time creep in. The Codrington Baronetcy of 1721 is, for example, still inserted in Debrett *in duplicate*. It is, we presume, acknowledged in society in the person of “Sir” Gerald W. H. Codrington, now in possession of the family estate at Dodington in Gloucestershire, son of the late Sir C. W. Codrington, M.P. and a grandson of the 7th Duke of Beaufort: but Debrett appends a note stating that “The Heralds’ College does not recognise this baronetcy, but that of Sir William Raymond Codrington, who is resident in Britany.” Then, as all the world knows, there are two claimants to the Baronetcy in the Tichborne family. And other difficulties of the kind have continually arisen, and are likely still to arise, for the determination of which there ought certainly to be some authorised and legal tribunal.

One occurs to our observation as we are writing. A Baronetcy of Ireland conferred in 1773 is supposed to have become extinct on the death of Sir Hugh Palliser Palliser, August 3, 1868.<sup>2</sup> The Editor of Debrett says,

Having received a letter from a person calling himself a cousin of the late Baronet, and claiming to have succeeded to the title, I replied that I should require further particulars before I could take action in the matter: to this letter no reply has been received. (p. 387.)

The genealogical details of Debrett’s volume seem to be collected with persevering care.

In the heraldic blason we must again protest against the embarrassment produced by excessive punctuation, as for

*Parker*, Ermine: an anchor, azure, between three escallops, gules; on a chief, wavy, of the second, a naval coronet, or.

*instead of*, Ermine, an anchor azure between three escallops gules, on a chief wavy of the second a naval coronet or.

and we observe that some of the shields of Nova Scotia Baronets are still erroneously ensigned with the badge of Ulster; whilst Sir William Broun is represented as bearing the royal arms of Scotland in place of the Nova Scotia badge.

<sup>1</sup> See our vol. v. pp. 88, 90.

<sup>2</sup> See our vol. v. p. 562.

## DEBRETTS HOUSE OF COMMONS.

DEBRETTS Illustrated House of Commons, and the Judicial Bench. 1870. Compiled and Edited by ROBERT HENRY MAIR. Personally revised by the Members of Parliament and the Judges. London: Dean and Son, 65, Ludgate Hill, E.C.

We have been accustomed for many years to contemporary biographies of "The Assembled Commons," but they have till of late been confined to personal details, and chiefly to their public services and political sentiments and professions. The author of the present work has greater claims upon our attention, because he enters into the fields of genealogy and heraldry. In every case he gives the parentage and the marriages of the subjects of his pages, with some particulars of their children or immediate family connections. Occasionally other information is introduced relating to more remote ancestry, but which is not always the most trust-worthy portion of the book. The following are examples:—

WILLIAM EDWARD DOWDESWELL, esq. M.P. for West Worcestershire. There is a tradition that Mr. Dowdeswell's family derives its name from Dodo, who in the reign of Ethelred, King of Mercia, founded Tewkesbury Abbey.

HENRY MASTER FEILDEN, esq. M.P. for Blackburn. This family has been settled in Lancashire for upwards of four centuries, and is a branch of the noble house of Denbigh.

HON. A. F. KINNAIRD, M.P. for Perth. The family of Kinnaird is of Norman origin, and came into England with William the Conqueror, and members of it have held many places of honor and trust in Scotland.

NATHANIEL GRACE LAMBERT, esq. M.P. for Buckinghamshire. A descendant of Lambert, Count of Mont and Earl of Lovaine, one of the companions-in-arms of the Conqueror, who gave him large possessions in several counties. One of the branches of the family settled in Northumberland, from which Mr. Lambert is descended.

GEORGE HENRY MOORE, M.P. for co. Mayo. Is descended from the illustrious Sir Thomas More, Chancellor of England temp. Henry VIII. One of his ancestors fought for King James at the battle of the Boyne, and was afterwards Vice-Admiral of Connaught under King William 3rd.

Now, as the book is professedly revised "by the Members of Parliament" themselves, and as we are assured in the Preface that "with only twenty-six exceptions" all the noblemen and gentlemen commemorated have courteously furnished its details, we may fairly assign some (if not all) of the above passages to the authority of the parties concerned. But surely they are somewhat apocryphal. The male descendants of Sir Thomas More are well known;<sup>1</sup> and the Moores of Moore hall, co. Mayo, are not among them, but the assertion of

"Debrett" is evidently an *advance* upon the hypothetical suggestion of "Burke:"

"This family claims descent from that of Barnborough,<sup>1</sup> of which the ever memorable Sir Thomas More was so bright an ornament."—*Landed Gentry*, 1870.

In regard to Mr. Feilden's descent, the assertion also certainly goes a little too far. The term "noble" is evidently confined to the very familiar, though improper, sense of bearing a title of peerage; and a "branch of the noble house of Denbigh" would thus imply that Mr. Feilden was descended from the house of Fielding since its elevation to the peerage in 1620: but that we know is not the case. We presume that Mr. Feilden considers himself to be descended from a common ancestor with the Earls of Denbigh: but we observe that his arms are changed since the 1869 edition of the present work. He there has the simple arms of Fielding, Argent, on a fess azure three lozenges of the first; but now his arms are, Argent, on a fess cotised azure, between two martlets in chief and a rose in base gules, three lozenges of the field (probably a new grant), quartering Master: and the nut-hatch feeding on a hazel-branch fruited proper, which was his former crest, has now a red-rose placed in its mouth—as we apprehend, rather interfering with its "feeding".

It is somewhat remarkable, at the same time, that Mr. Joshua Fielden, M.P. for the West Riding of Yorkshire,—though also a Lancashire gentleman, but reversing the position of the vowels in his first syllable, "does not bear any arms."

Among others who are said not to bear any arms, there are some that we regard with surprise, not to say incredulity. One of them is the Right Hon. Benjamin Disraeli, the county member for Buckinghamshire, and late prime minister. Another is George Henry Finch, esq. M.P. for co. Rutland, a grandson (maternally) of the 6th Duke of Beaufort. His father the late George Finch, esq. of Burley-on-the-Hill, is well known to have been a natural son of the 8th Earl of Winchilsea, and would not therefore inherit arms; but did he really neglect to take a grant, and have nothing but a cypher on the panels of his carriage?

A third county member, William John Legh, esq. of East Cheshire, "does not bear any arms" in Debrett; but that is a plain omission, for he is the representative of the very ancient family of Legh of Lyme, and his arms will be found, as of course, in Burke's *Landed Gentry*.

<sup>1</sup> The Mores of Barnborough, lineally descended from Sir Thomas More, became extinct in 1795; see pedigree in Hunter's *South Yorkshire*, vol. i. p. 376.

And in a fourth instance we must express more than a doubt, viz., that Thomas Salt, esq., M.P. for Stafford, "does not bear any arms." We feel assured that he is entitled to the coat, Azure, a chevron rompu between three mullets or. (Burke's *General Armory*.)

In the majority of cases, when Members of the House of Commons, not having legitimate right to arms, do not claim any coat in the pages of Debrett, we entirely approve of the modesty shown in their reticence and forbearance; desiring only that they should proceed to invest themselves in their proper "cote-armour," as Gentlemen ought to do, with all such due dispatch as may be consistent with the legitimate formalities required.

Upon the actual authenticity of the heraldic devices which are displayed by those who *do* bear arms, we shall not at present presume to advance any positive opinions. "Debrett" sets forth the arms of Hon. Members upon their own authority: and he has kindly enabled us upon the present occasion to exhibit three dozen achievements, which we have selected in illustration of the heraldry of the Three Kingdoms,—one page for England, another for Ireland, and a third for Scotland. It will be perceived that our choice has been directed in many cases to coats hitherto unknown—unknown perhaps because they are comparatively new. It will not be necessary to blason the charges, except where the engravings fail to do so fully.

### *English Families.*

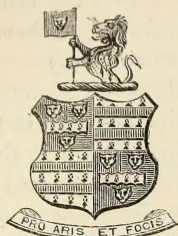
The Right Hon. ACTON SMEE AYRTON, First Commissioner of Works and Public Buildings, M.P. for the Tower Hamlets. He quarters *Nugent*, for his mother Julia, daughter of the late Lieut.-Colonel Nugent.

EDMUND BACKHOUSE, esq. the first M.P. for Darlington, where he is a banker. Of a Quaker family, and his mother a Gurney.

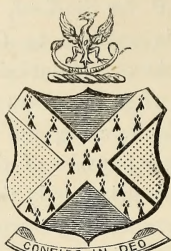
HUGH BIRLEY, esq. M.P. for Manchester, a partner in the manufacturing firm of Macintosh & Co.

THOMAS BRASSEY, esq. M.P. for Hastings, and HENRY ARTHUR BRASSEY, esq. M.P. for Sandwich, sons of Thomas Brassey, esq. F.R.S. the distinguished engineer. Their achievement is of four coats quartered. The bird in the first quarter is a duck, and the crest is a duck proper, collared or. In Burke's *General Armory* we find this coat for the name of "Brasy," the duck termed a "bird" only, and with no label, which latter can belong, we presume, only to the M.P. for Hastings. What the other quarterings may be we are not informed.

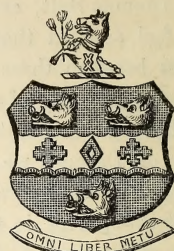
MONTAGU CHAMBERS, esq., Q.C., member for Devonport. He is grandson of Sir William Chambers, the architect. The arms are those of Chalmers, of Balnecraig, in Scotland: of which Sir George Mackenzie says that the fleur de lis was won "no doubt in France for some meritorious action done there." (Burke's *General Armory*, art. Chalmers.) Chalmers (we should add) is allowed by Mackenzie to be the Scotch dialect for *Chambers*, or *de la Chambre*.



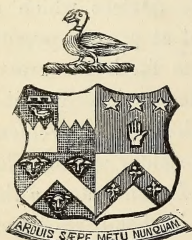
AYRTON.



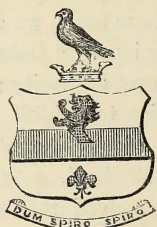
BACKHOUSE.



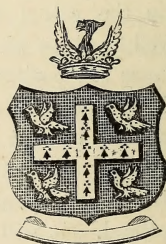
BIRLEY.



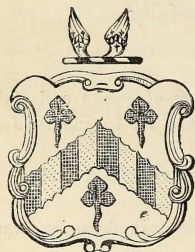
BRASSEY.



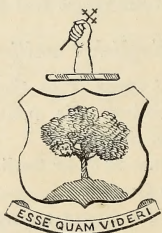
CHAMBERS.



CHAMBERS.



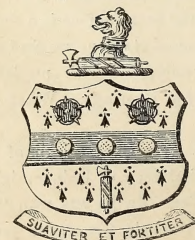
CLAY.



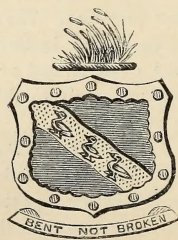
FIGGINS.



PRICE.



RATHBONE.



REED.



SMITH.

THOMAS CHAMBERS, esq. Q.C. and Common Serjeant of the City of London, M.P. for Marylebone. The birds in his arms are martlets rising (*rising* martlets we do not remember to have met with before) ; that in his crest a demi-eagle.

JAMES CLAY, esq. M.P. for Hull: son of the late James Clay, merchant, of Old Broad Street. The arms and crest are the same as those borne by Sir William Dickason Clay, of Fulwell Lodge, co. Middlesex, Baronet ; although Sir Bernard Burke (*General Armory*, art. Clay) says that the late Sir William Clay, (M.P. for the Tower Hamlets,) took his crest (and his motto—so appropriate to a merchant, *PER ORBEM*) from his wife's father Thomas Dickason, esq. of Fulwell Lodge. There must, therefore, be some error in attributing the same to the M.P. for Hull.

JAMES FIGGINS, esq. M.P. for Shrewsbury, late Sheriff of London and Middlesex, 1865-66.

WILLIAM PHILIP PRICE, esq. M.P. for Gloucester : chairman of the Gloucestershire Banking Company. He is son-in-law of the late John Chadborn, esq. and grandson of the notorious "Jemmy Wood" the Gloucester banker and miser. His son William Edwin Price, esq. is M.P. for Tewkesbury. The coat is chiefly remarkable as an example of the modern practice of compounding a new coat out of the various ingredients to be found in coats of other families bearing the same name. This will be seen on turning to the column full of "Price" in Burke's *General Armory*. We shall not undertake to analyse a composition evidently formed only on such capricious selection.

WILLIAM RATHBONE, esq. M.P. for Liverpool. Here, we presume, we have something more personally commemorative and historical. The "Roman fasces" must refer to magisterial office in Liverpool. In the crest the lion's collar is charged with two roses.

CHARLES REED, esq. the first member for Hackney: son of Andrew Reed, D.D. the indefatigable philanthropist, who founded the London Orphan Asylum, the Infant Orphan Asylum, the Asylum for Idiots at Earlswood, the Fatherless Asylum at Reedham, and the Royal Hospital for Incurables. The birds in his arms are shovellers: the crest a sheaf of bent reeds proper: forming with the motto "BENT, NOT BROKEN" a combined allusion to the name.

JOHN BENJAMIN SMITH, esq. M.P. for Stockport: son of Benjamin Smith, merchant, of Manchester. This gentleman has assumed, with a change of tinctures, the coat granted to Smith of Gloucester in 1614.

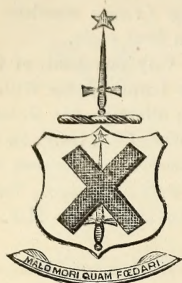
### *Scottish Families.*

WILLIAM PATRICK ADAM, esq. of Blair Adam, M.P. for Clackmannanshire and Kinrosshire, son of the late Admiral Sir Charles Adam, K.C.B. Governor of Greenwich Hospital.

WILLIAM EDWARD BAXTER, esq. M.P. for the Montrose district of Burghs ; a merchant of Dundee.

ALEXANDER GEORGE DICKSON, esq. M.P. for Dover ; son of George Dickson, esq. of Belchester, Berwickshire.

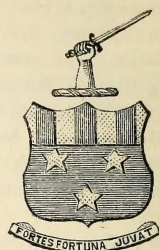
WILLIAM FINNIE, esq. M.P. for North Ayrshire ; a merchant at London, Lisbon, and Rio de Janeiro. The headless bird is a crane: the second quarter as well as the first should be gules in its field: Gules, three skeens palewise argent, hilted or, on the point of each a boar's head couped of the last—we presume for the name



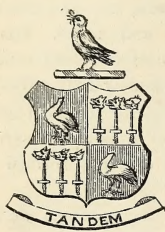
ADAM.



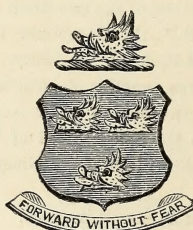
BAXTER.



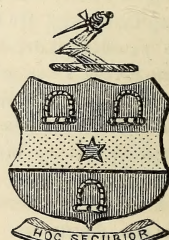
DICKSON.



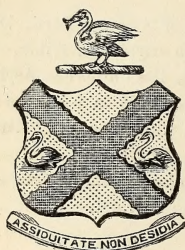
FINNIE.



GORDON.



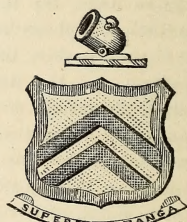
GRIEVE.



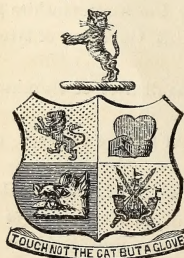
LOCH.



M'COMBIE.



M'LAGAN.



MACKINTOSH.



ROBERTSON.



URQUHART.

of *Skene*, as similar coats are described for that name in Burke's *General Armory*, but with wolf's heads instead of boar's heads. The crest, a dove holding in its beak a leaf proper.

EDWARD STRATHEARN GORDON, esq. M.P. for the Universities of Glasgow and Aberdeen, Q.C. and late Lord Advocate for Scotland; son of the late Major John Gordon, 2nd Queen's Regt. The arms are the same as those borne by Gordon of Embo, co. Sutherland, Bart. differing only from the chief of the Gordons in the boar's heads being erased, instead of couped as boar's heads ordinarily are.

JAMES JOHNSTONE GRIEVE, esq. M.P. for Greenock, where he has been four times Provost. It is the old coat for the name.

GEORGE LOCH, esq. M.P. for the Wick district of Burghs: son of the late James Loch, esq. M.P. for the same. The arms and crest, which we think are charmingly and picturesquely allusive to the name, were confirmed in 1673 to James Loch of Drylaw, Treasurer of Edinburgh, by Sir Charles Erskine of Cambo, the Lord Lyon of that day.

WILLIAM MCCOMBIE, esq. M.P. for West Aberdeenshire, in business as a farmer and grazier, and author of *Cattle and Cattle Breeders*. In the motto, which is repeated hereafter for Macintosh, and which is also used by other families, the word *but* has the old Scottish sense of "without."

PETER MCLAGAN, esq. M.P. for Linlithgowshire. The motto should be *SUPERBA FRANGO*, to be read in connection with the crest, a mortar—which same crest we find belongs also to the names of M'Laren and Maclellen. Who was the old founder of cannon, with whom we may suppose it originated?

ÆNEAS WILLIAM MACKINTOSH, esq. of Raighmore, M.P. for the Inverness district of Burghs. The arms are the undifferenced bearings of the chief of the clan of Mackintosh, except that (according to Burke's *General Armory*) the lymphad of the fourth quarter should be crossed by two *oars*.

DAVID ROBERTSON, esq. of Ladykirk, M.P. for Berwickshire, of which he is also Lord-Lieutenant. He is the fourth son of the late Sir John Majoribanks, of Lees, Bart.; and in 1834 married Sarah, daughter of the late Sir Thomas Haggerston, Bart. when, in compliance with the will of his wife's maternal grandfather, he assumed the name and designation of Robertson of Ladykirk. The heads on his shield are those of wolves, and the extraneous addition below of a man in chains was given to Robertson of Struan "for his taking the murderer of James I."<sup>1</sup>

WILLIAM POLLARD URQUHART, esq. M.P. for Westmeath: of Kinturk castle in that county, but also of Craigstoun castle in Aberdeenshire, through his marriage with the heiress of Urquhart, on which occasion he assumed that name in 1847. His arms are, 1 and 4, Or, three boar's heads erased gules, *Urquhart of Cromarty*; 2, Argent, a demi-otter issuing out of a bar wavy sable, the otter crowned or, *Meldrum*; 3, Or, three crescents within a double tressure counter-flory gules, *Seton*. Crests, 1. a dagger and a branch of palm in saltire, for *Urquhart*; 2, a demi-otter sable, crowned and holding a crescent or, for *Meldrum*. (A differently arranged achievement for Mr. Pollard Urquhart will be found in Burke's *Landed Gentry*.)

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<sup>1</sup> So says Sir George Mackenzie, in his *Science of Heraldry*; where these extraneous devices, which are peculiar to the armory of Scotland, are termed compartments. See the review of Seton's *Scottish Heraldry* in our vol. i. p. 443.

*Irish Families.*

JOHN BRADY, esq. M.P. for the town of Leitrim, son of Tobias Brady, esq. of Cavan : late a surgeon in London, and now resident at Ely.

MARRIOTT ROBERT DALWAY, esq. M.P. for Carrickfergus ; eldest son of Marriott Dalway, esq. of Bella Hill, co. Antrim. The banner in the crest should be "charged as in the arms."

EDMUND DEASE, esq., of Turhotstown, Westmeath, M.P. for Queen's County. He quarters *Plunkett*, *Cusack*, and *O'Callaghan*, the last a wolf issuant from a hurst of oak-trees. On an inescutcheon are *Grattan* and *Brearton* quarterly, for his wife, Mary, third daughter of the late Henry Grattan, esq. M.P. of Tinnahinch, co. Wicklow.

MATTHEW O'REILLY DEASE, esq. M.P. for co. Louth. He has married Maria, daughter and heiress of Matthew O'Reilly, esq. of Thomastown, co. Louth ; and the inescutcheon is that of O'Reilly.

GEORGE O'HALLORAN GAVIN, esq. M.P. for the City of Limerick.

WILLIAM KEOWN, esq. M.P. for Downpatrick. His charges are three human hearts erased.

THOMAS M'CLURE, esq. of Belmont, co. Down, M.P. for Belfast. (This coat originates in Scotland, as we see in Burke's *General Armory*.)

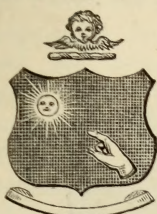
PATRICK McMAHON, esq. M.P. for New Ross, a barrister at law, and member of the Oxford circuit. (By the blason, the first and third lion should be *reguardant* : the engraver has made them *guardant*. They are red lions, it will be observed ; the lion in fess a blue one.)

CHARLES OWEN O'CONOR, esq. (the O'CONOR DON,) M.P. for co. Roscommon. In this peculiarly Irish coat the tree is an oak eradicated : and Burke gives the arms of the O'Conor Don as simply, Argent, an oak-tree vert : but he adds, "The O'Conor family sometimes bear for arms, Argent, an oak-tree vert undermined by lizards, and supported by two lions rampant" (*Landed Gentry* for 1870, p. 1103) : so that we presume we have in the engraving birds incorrectly for lizards. The "ancient crown" placed above the crest is not part of it, but is evidently adopted in allusion to the descent of the family from the native kings of Connaught. But could not some Irish antiquary furnish the real form of the ancient crown of Connaught ? This is properly what heralds term a *celestial* crown. The reading of the Irish motto we have not discovered.

EDWARD JOHN SYNAN, esq. M.P. for co. Limerick. The tinctures (wanting in the engraving) are not supplied by Burke's *General Armory*, for this coat is not described there.

ROBERT RICHARD TORRENS, esq. M.P. for the town of Cambridge. The charge of his shield is described as "an antique candelabra with three branches, candles lighted, proper." It does not occur in Burke's *General Armory* ; but we find there that to the late Major-General Sir Henry Torrens, K.C.B. was assigned this modification of it : Ermine, three candlesticks each enfiled with a wreath of laurel or, in chief a mural crown gules, therefrom pendent by a blue ribbon the representation of a medal : the same ribbon and medal being hung on the neck of the martlet borne as a crest.

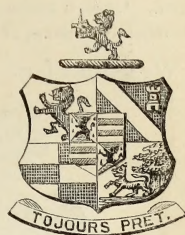
JOHN VANCE, esq. M.P. for Armagh, son of the late Andrew Vance, esq. of Dublin. Quarterly : 1. Gules, an eagle displayed or ; 2. Argent, a lion rampant. . . .



BRADY.



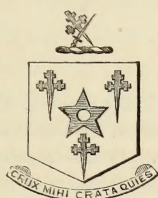
DALWAY.



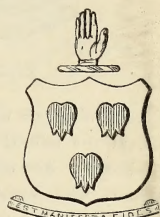
DEASE.



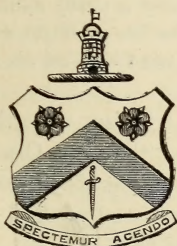
DEASE.



GAVIN.



KEOWN.



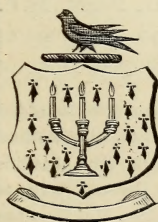
M'CLURE.



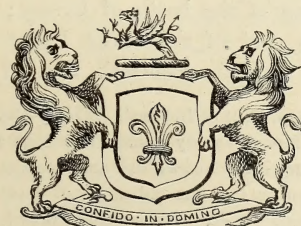
M'MAHON.



O'CONOR.



TORRENS.



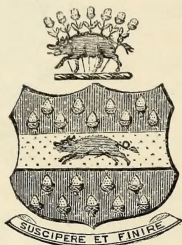
SYNAN.



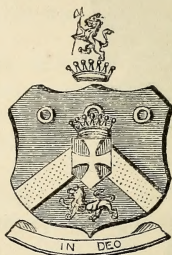
VANCE.

3. Argent, a fess sable between three martlets . . . 4 Gules, three fleurs de lis argent. Crest, a falcon rising proper. (We derive no assistance from Burke to amend this defective blason, or to account for the quarterings.)

We extract further two coats of foreign origin :



BOLCKOW.



HAMBRO.

HENRY WILLIAM FERDINAND BOLCKOW, esq. M.P. for Middlesbrough on Tees, is son of the late Heinrich Bölekow, of Varchow in Mecklenburg, and has been naturalised by Act of Parliament. As senior partner of the firm of Bölekow and Vaughan, who introduced the manufacture of iron in the Cleveland district, he contributed greatly to the extension and prosperity of the new town of Middlesbrough, for which he is the first member.

CHARLES JOSEPH THEOPHILUS HAMBRO, esq. M.P. for Weymouth, is the eldest son of Baron Hambro, of Milton Abbey, Dorset. This family is totally distinct from that of John Hambrough, esq. of Steephill Castle, in the Isle of Wight, and Pipewell Hill, in Northamptonshire, which is traced to the reign of Elizabeth in the county of Huntingdon.

Though we abstain from entering into minute criticism upon the armorial bearings, we cannot forbear from noticing that Mr. Candlish, M.P. has taken the unaltered coat of Cavendish; that Mr. Dodds, of Stockton-upon-Tees, has appropriated the ancient coat of Dod of Edge; Mr. Eaton, M.P. for Coventry, has assumed that of Eyton, of Eyton, in Shropshire;<sup>1</sup> Mr. Hick, of Bolton, that of Hicks, the very coat of which the editor relates a tradition in p. 20, that it was conferred in commemoration of the battle of Cressy; Mr. Paget, M.P. for Somerset, takes the coat of the Lords Paget and Marquess of Anglesey; Mr. Russell, M.P. for Limerick, that of Russell Duke of

<sup>1</sup> In a former notice (vol. v. p. 280) of *Debrett's House of Commons* we commended the taste of Mr. Read, the former county-member for East Norfolk, that he had acquired a coat displaying four *garbs*: but we did not recollect at the time that this was actually the *undifferenced* coat of the old and still existing Baronet family of Reade of Shipton Court in Oxfordshire. We conclude therefore that Mr. Read has received no authoritative grant. His crest, a garb between two olive-branches, appears to be his original device, the crest of Reade being totally different.

Bedford; and Mr. West, M.P. for Ipswich, that of West Lord Delawarr. All these assumptions are perfectly unjustifiable. Still more unaccountably, Mr. Pim, M.P. for Dublin, displays the coat of Stanhope. Mr. Rylands, M.P. for Warrington, has usurped the very singular coat of Bromley of Badington, co. Chester, with its griffin inescutcheon, and its crest of a lion and banner!

Thus we see that the House of Commons undeniably still requires some reform in its heraldry.

There is one circumstance which, in a general view, is very remarkable about the present and doubly Reformed House of Commons. It is that it continues to present in so many instances two or more members of the same family. This can no longer arise from proprietary boroughs: but probably more than ever from the preponderance of wealthy families, either territorial or mercantile, in certain districts. Something no doubt is attributable to the influence of great political talents, which recommend a second member of the family of a popular statesman. Thus Mr. Gladstone is supported by his son: Mr. Bright by his brother: Mr. Gathorne Hardy by his son and his brother. Although there is nothing now like the far-celebrated "tail" of the late Daniel O'Connell, there is still an Irish family that musters four. This is that of the late Lord Lieutenant, the Duke of Abercorn, whose three elder sons and nephew Lord Claud Hamilton all have seats in the House of Commons—two for Irish and two for English constituencies—Donegal and Tyrone, King's Lynn and Middlesex. There are nine families which possess each three members, viz. :—

Beaumont, Wentworth Blackett, South Northumberland.

— Somerset Archibald, his brother, Wakefield.

— H. F. (of Whitby), cousin, West Riding South, Yksh.

Cavendish, Marquess of Hartington, Radnor District.

— Lord Frederick, his brother, West Riding North, Yorkshire.

— Lord George, his uncle, North Derbyshire.

Fitzwilliam, Wentworth, Lord Viscount Milton, W. R. Yorksh. S.D.

— Hon. William Henry, his brother, co. Wicklow.

— Hon. Charles Wm. his uncle, Malton.

Grosvenor, Lord Richard, Flintshire.

— Hon. Robert, his cousin, Westminster.

— Hon. Norman, brother to the last, Chester.

Hardy, Right Hon. Gathorne, Oxford University.

— John Stewart, his son, Rye.

— John, brother of the former, S. Warwickshire.

- Lennox, the Earl of March, West Sussex.  
 — Lord Henry, his uncle, Chichester.  
 — Lord George, another uncle, Lymington.  
 Lowther, Henry, West Cumberland.  
 — William, his brother, Westmerland.  
 — James, a cousin, York.  
 Rothschild, Baron Lionel Nathan, London.  
 — Baron Nathaniel Meyer, his son, Aylesbury.  
 — Baron Meyer, brother of the former, Hythe.  
 Vivian, Henry Hussey, Glamorganshire.  
 — Arthur Pendarves, his brother, West Cornwall.  
 — Hon. John Crouch Walker, their cousin, Truro.

In these seven families we find *Father* and *Son* :—

- Bass, Michael Thomas, Derby.  
 — Michael Arthur, East Staffordshire.  
 Brand, Rt. Hon. Henry B. W. Cambridgeshire.  
 — Henry Robert, Hertfordshire.  
 Gladstone, Right Hon. William Ewart, Greenwich.  
 — William Henry, Whitby.  
 Price, William Philip, Gloucester.  
 — William Edwin, Tewkesbury.  
 Samuelson, Bernhard, Banbury.  
 — Henry Bernhard, Cheltenham.  
 Seely, Charles, Lincoln.  
 — Charles, junior, Nottingham.  
 Wykeham-Martin, Charles, Newport, Isle of Wight.  
 — — Philip, Rochester.

Besides those already named, fifteen other pairs of *Brothers* are members of the House :—

- Brassey, Thomas, jun., Hastings.  
 — Henry Arthur, Sandwich.  
 Bright, Right Hon. John, Birmingham.  
 — Jacob, Manchester.  
 Brudenell-Bruce, Lord Ernest, Marlborough.  
 — Lord Charles, North Wiltshire.  
 Egerton, Hon. Francis, East Derbyshire.  
 — Hon. Algernon, South-East Lancashire.

(These are uncles of the Earl of Ellesmere. The Hon. Wilbraham Egerton, M.P. for North Cheshire, is son of Lord Egerton of Tatton, and, though bearing the arms of Egerton only, is by paternal descent a Tatton.)

- Lawrence, Alderman William, London.  
 — Alderman Sir James Clarke, Lambeth.  
 Lopes, Sir Lopes Massey, South Devon.  
 — Henry Charles, Launceston.  
 Manners, Lord John, North Leicestershire.  
 — Lord George, Cambridgeshire.  
 Greville-Nugent, Hon. Algernon, County Westmeath.  
 — Hon. Reginald, County Longford.  
 O'Connor, Charles Owen, (O'Connor Don,) Roscommon.  
 — Denis Maurice, County Sligo.  
 Peel, Right Hon. Sir Robert, Tamworth.  
 — Arthur Wellesley, Warwick.  
 Russell, Francis Charles Hastings, Bedfordshire.  
 — Arthur John Edward, Tavistock.  
 Smith, Samuel George, Aylesbury.  
 — Rowland, South Derbyshire.  
 Sturt, Henry Gerard, Dorsetshire.  
 — Charles Napier, Dorchester.  
 Verner, William, County Armagh.  
 — Edward Wingfield, Lisburn.  
 Williams, Sir Frederick Martin, Bart.,<sup>1</sup> Truro.  
 — Charles Henry, Barnstaple.

Further, there are five other cases of *Uncle* and *Nephew* : —

- Cholmeley, Montagu John, North Lincolnshire.  
 — Hugh Arthur Henry, Grantham.  
 Cowper (-Temple), Right Hon. William Francis, South Hampshire.  
 — Hon. Henry Frederick, Hertfordshire.  
 Denison, Rt. Hon. John Evelyn, (the *SPEAKER*,) N. Nottinghamsh.  
 — Edmund, his nephew, Newark. (Died at Melbourne, Australia, Jan. 25, 1870.)  
 (Mr. Christopher Beckett Denison, M.P. for the West Riding, is a Beckett by paternal descent, and but a distant cousin.)  
 Morgan, Charles Octavius Swinnerton, Monmouthshire.  
 — Hon. Godfrey Charles, Breconshire.  
 Talbot, John Gilbert, West Kent.  
 — Hon. Reginald Arthur James, Stafford.

<sup>1</sup> A Baronet by the recent death of his father, Sir William Williams, of Tregallow, since the publication of "Debrett."

And the following of near *Cousins* :—

Arkwright, Augustus Peter, North Derbyshire.

—— Richard, Leominster.

Beach (Hicks-), Sir Michael Edward, Bart., East Gloucestershire.

—— William W. B., North Hampshire.

Cartwright, William Cornwallis, Oxfordshire.

—— Fairfax William, South Northamptonshire.

Hoare, Sir Henry Ainslie, Bart., Chelsea.

—— Peter Merrik, Southampton.

Leveson Gower, Lord Ronald, Sutherland.

—— Hon. Edward Frederick, Bodmin.

Tollemache, Hon. Frederick James, Grantham.

—— John, West Cheshire.

Walpole, Right Hon. Spencer Horatio, Cambridge University.

—— Hon. Frederick, North Norfolk.

Williams Wynn, Sir Watkin, Derbyshire.

—— Charles Watkin, Montgomeryshire.

We have now enumerated 101 members, belonging to forty-four (shall we term them senatorial ?) families.

In the second division of the work, which gives statistics of the Counties, Boroughs, &c., returning Members to Parliament, the official declarations of the poll are included, with the names of unsuccessful candidates. A brief Peerage is appended, with chronological lists of Lord Chancellors and Speakers of Parliaments during the present century, and of Prime Ministers since 1715. There is also a useful glossary of the technical expressions of Parliament, which has been revised by Reginald Palgrave, esq., the second clerk assistant.

Of the JUDICIAL BENCH, forming the latter part of the book, we need only say that it presents biographies of the Judges of the superior courts of Great Britain and Ireland, of the Judges of the County Courts, and of Recorders—altogether more than two hundred persons, which are not to be found elsewhere, unless they happen to have had titles conferred on them. The arms of the English Judges are engraved.

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Amye Robsart and the Earl of Leycester, &c. &c. By GEORGE ADLARD, Author of *The Sutton-Dudleys of England*, &c. 8vo. pp. xi. 344.

Our readers have on several occasions had their attention directed to Mr. Adlard's former work on the family of Dudley,<sup>1</sup> and the present volume claims our regard as its sequel. It is evidently the embodiment of the overflowing collections which the author made on that occasion respecting the more important personages of the house of Dudley. The mysterious story of Amye Robsart, the first wife of the great Earl of Leicester, is put prominently forward as its leading feature. A history of Kenilworth Castle, connected with the story of Amye Robsart through one of the romances of Sir Walter Scott, is the next main division of the volume; and its latter portions are filled with memoirs and correspondence of Sir Robert Dudley, the Earl of Leicester's son. Altogether, it is a compilation of very considerable interest, if not of much originality. We have prepared a longer review of that portion of its contents which relates to the ill-fated Lady Amye Dudley; but must defer its insertion.

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CANSICK'S *Epitaphs of Middlesex*, Vol. I. 12mo.—Mr. Cansick is performing a useful and too much neglected public service in copying and placing in permanent record by means of the press these sepulchral memorials. They partake of a more perishable and transient existence than is generally imagined: being subject to a variety of injury from time, mischief, accident, and change, more particularly in populous districts such as the outskirts of the metropolis. His care and diligence are manifest, but he requires some assistance in the correction of Latin, and he omits a very important item of information in failing to describe the heraldry where it occurs. In these respects we look for improvement.

It was our intention to have devoted a longer article to *The Epitaphs of Saint Pancras*, an intention which we must postpone, but do not relinquish. We will therefore for the present only state that Mr. Cansick's first volume contains the Epitaphs he has found in the church and churchyard of old St. Pancras; in the church of St. John Baptist, Kentish Town; in Whitefield's chapel and yard; at St. Katharine's, Regent's Park; and in the chapel and burial-ground of St. James, Hampstead Road. In his next volume he will survey the various other cemeteries in the district of St. Pancras. These manuals are issued to subscribers at 5s., in large paper 10s. 6d.; and the address of the Editor is F. Teague Cansick, 28, Jeffrey Street, Kentish Town.

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<sup>1</sup> It was reviewed at considerable length in our vol. ii. pp. 409-426; and commented on by our correspondent H. S. G. *ibid.* 494-499. In our vol. iii. pp. 308-315, Mr. Adlard's details on the families of Nicolls, Purefey, and Dudley are further examined. And in our vol. v. the very complete memoir of the Barony of Dudley by our friend Mr. Grazebrook is a further review of a material portion of Mr. Adlard's work.

SCOTTISH ARMORY.—I may tell *ANGLO-SCOTUS* (vol. v. p. 142), that the “*fleurs de lis*” of the Chiefs of Macmicking are not registered in the Lyon Office, nor to be found in any MS. that I have consulted. An inescutcheon as the badge of a chieftain is equally unknown to me; and I believe I may say that “*dovetail*” does not occur in any Scottish coat. S.

#### WESTON FAMILY OF LINCOLNSHIRE.

William Weston is mentioned as an inhabitant of Boston in 1333 and Thomas Weston in 1377. In 1400 (2 Hen. IV.) John Weston obtained a charter to hold a market and fair in Burgh le Marsh. This John Weston had a grant of free warren in Burgh le Marsh in the same year. From 1477 to 1491 Sir John Weston was Lord Prior of St. John of Jerusalem, and so was Sir William Weston from 1519 to the dissolution of the order, and this Sir William Weston was the son of Edmund Weston of Boston.

The families of Weston and Dingley or Dineley were allied, and both had residence in Boston and its neighbourhood. Some of the Dineleys were Knights of Malta. In an old map of Wainfleet of the date of 1640, executed by a Mr. Manning and in possession of a respectable farmer there, is a large tract of land to the north of Wainfleet, lying between that town and Burgh le Marsh with “*Earl of Portland’s*” printed on it. The possessor of it then was probably Jerome Earl of Portland, son of the Lord Treasurer Weston. He was married (you know) to the Lady Frances Stuart, daughter of the Duke of Lenox, at Roehampton by Archbishop Laud, and their nuptials were celebrated by Ben Jonson in a poem.

It appears highly probable to me that the early ancestors of the Earls of Portland were located in the vicinity of Boston.

There was a good family of Weston at Somerby, near Brigg, in the same county, seated there for two or three generations. The grandmother of Weston Cracroft Amcotts, M.P. for Mid-Lincolnshire, was of the Somerby family.

*Friskney.*

THOMAS BARKER.

JOHN COSIN, D.D. Bishop of Durham 1660-1672, is said to have had a sister Mary married to . . . . Skinner (Surtees, *Hist. Durham*, Cosin ped.) Being desirous of ascertaining when and where this marriage took place and of learning further regarding Mr. Skinner, I shall be thankful for any information that can be communicated to me direct. The lady appears to have been baptized at St. Andrew’s Norwich, 27th April, 1606, but her marriage does not occur there.

*Doncaster, 7 March, 1870.*

CHARLES JACKSON.

Cele au Conte de Laonois  
 Rouge o un blanc lyoun conois,  
 E blanche en estoit le ourleure  
 A roses de l'enchampeure.  
 Patrik de Dunbar, fiz le Conte,  
 Ne la portoit par nul aconté  
 Fors de une label de inde diverse.

*The Siege of Carlaverock, anno 1300.*



# SKETCH OF THE SUCCESSION OF THE EARLDOM OF MARCH (ANCIENTLY DUNBAR) IN SCOTLAND, UNTIL IT WAS CONFISCATED IN 1434.

BY ALEXANDER SINCLAIR.

THE history and cruel destruction of the long line of Earls of March, and the continuation of the family in a more humble sphere, are interesting, even with the disadvantage of ignorance as to who are now the representatives of the latter branch, and consequently of the Earls themselves, reaching back above 700 years, even to the Saxon Earl of Northumberland, before the Conquest. None of our antiquaries or genealogists could unravel the mystery. Even Mr. John Riddell, the pre-eminent Peerage author, knew nothing as to the main point in whom the right and honour of being the heirs of these ancient potentates was vested, or whether any descendants of the sisters remain in our day, till I told him in a letter, dated 18th November 1833, which he quotes in his Notes upon March, in the second volume of Douglas's Peerage of Scotland. In this I claim no merit, as my discovery of the charter which proves the all-important link was quite accidental, while taking notes generally, many years ago, in the Register Office.

## I. BEFORE THE FORFEITURE.

The renowned Lord Hailes, in his celebrated *Sutherland Case*, collected a wonderful amount of information, for his time, regarding the ancient Earldoms of Scotland. He was most rigid in not stating any material point without being satisfied that he could *prove* it. His object was to show that the old Earldoms were descendible, and almost all the thirteen had descended, to females.<sup>1</sup> But as he was too scrupulous regarding three of them, he limited himself to the other ten, and showed that nine of them had been inherited by females, and the tenth had no opportunity before it was forfeited. It is this last case—the Earldom of March—that I wish now to consider, and give a brief account of its history and succession to the present day.

The Dunbars, Earls of March, might be reckoned, after the Cumins and before the Douglasses, the greatest family in Scotland—next to the Royal race. They were Saxons, and began with Maldred's son, Cospatrick, Earl of Northumberland, before the Conquest, in 1066. His wife was a descendant of the Saxon Kings.

William the Conqueror, in 1072, drove him into Scotland, where King Malcolm III. received him hospitably, and gave him Dunbar and other lands. He had three sons—1. Dolfin, who never was an Earl, though always quoted as the head of the family. He appears to have had no wife or children, as none are given in Surtees's *History of Durham*, or Raine's *North Durham*. 2. Cospatrick, who follows. 3. Waltheof, who had large estates in Cumberland.

COSPATRICK, frater Dolfini, succeeded to his father's lands in Scotland, and at length became an Earl.

There is some confusion in the early history of this pre-eminent family, from their having the name of Cospatrick for a century, and the general absence of dates in the deeds of these unlettered times, all which make it difficult to show the year of the creation of the ancient Earldom, afterwards Dunbar, and ultimately March.

In the Foundation Charter of Scone, in 1115, COSPATRIC is one of the witnesses, and is ranked second among the six Earls

<sup>1</sup> See Note, page 296.

who were of the old Council of Seven, with whom Parliaments originated. [The seventh Earldom, Caithness, had merged into Orkney, then Norwegian.] He was the only one who was not then an Earl; but from his important position, and being son of a Saxon Earl, he was soon advanced to that dignity. When King David I., in 1139, confirmed a grant to the Monks of Coldingham of the lands of Ederham and Nisbet, he is styled in the original Charter, in 1130, "*Cospatricius Comes frater Dolfini*;" and the lands being in Berwickshire, this shows that he then possessed an Earldom of which the Merse or March was a part. On 9th April 1139 the son of Cospatricius Comes was *first* hostage for King David.<sup>1</sup> The Earl died in 1139, having been witness to the above charter on a day in which he was alive and dead (16th August 1139); and the third confirmation of the lands of Ederham and Nisbet is by "*Cospatricius Comes filius Cospatricius Comititis fratris Dolfini*," which Earl mentions his two sons, Waltheuo et Patricio. This proves the whole pedigree from the first Cospatric, Earl of Northumberland, father of (Dolfin, and) Earl Cospatric the second, father of Earl Cospatric

<sup>1</sup> This is found in the Chronicle of Richard of Hexham, p. 330, who names the other four securities—"the son of Hugh de Morville, the son of Earl Fergus, the son of Mel, the son of Mac; that is, five Earls of Scotland were delivered up." Here Hugo de Morville, who never was an Earl, is ranked among them, being Constable of Scotland. *Fergus* should be *Ferquhard*, Earl of Ross; Mel was Malise, Earl of Strathern; and Mac was Malcolm, Earl of Fife (they were sometimes called Macduffs).

It was not until some years after this that the Earls of Scotland began to take their territorial style. In two lists which I annex the Earl of Angus is the only one thus denominated:—

Anno 1159, Chartulary of Kelso—Charter by King Malcolm IV.

Witnesses—Cospatricio Comite.

Ferteth Comite.

Duncan Comite.

Gillibrede Comite de Anagus.

Anno 1160, Chartulary of Dunfermelin—Charter by King Malcolm IV.

Witnesses, de Comitibus—

Gospatricius Comes [Dunbar].

Ferteth Comes [Strathern].

Duncan Comes [Fife].

Morgund Comes [Mar].

Malcolmus Comes [Athol].

Comes de Anegus.

the third, father of Waldeve or Waltheof, who succeeded him in 1162.

The third COSPATRICK was engaged in various deeds and transactions with successive sovereigns. Chalmers's *Caledonia* and Raine's *North Durham* (including Holy Island, the monastery of which was richly supported by the family,) afford so many particulars regarding these Earls Cospatrick, that I merely state that the last died in 1166, leaving two sons—1. Waltheof, his heir. 2. Patrick, from whom the noble family of Hume are derived.

WALTHEOF was the first named Earl of Dunbar, from the castle in which he dwelt; and, as they had flourished long before surnames, their descendants became so denominated, and originated that numerous family which has come down to our day. Earl Waltheof died in 1182, when he is recorded to be father of—

PATRICK, who was first of a line of five Earl Patricks, who made alliances worthy of note. The first married an illegitimate daughter of King William the Lion, and his descendant claimed the Crown at the competition. He died in 1231. The second married a daughter of the High Steward, the ancestor of the future Royal race of Stuart. The third married Christian Bruce, a daughter of Robert Bruce, ancestor of King Robert I., but not, as is alleged, a daughter of the Competitor, as she was married in 1242, and the Competitor himself was not married till 1244.

The fourth Earl Patrick married Marjory (but according to Winton, Bridget), daughter of Alexander Cumin, Earl of Buchan, which alliance led to the remarkable letter,<sup>1</sup> in February 1400, by her grandson, Earl George, to King Henry IV. He was then meditating revolt, on being deeply injured and affronted by King Robert III., and wished to engage the English King in his favour. He claimed propinquity to him, but mis-stated it. Dame Alice, the Beaumont, was not full sister of the Countess Marjory, but her niece, and the heir of the family. She married Henry, Lord Beaumont, and had a daughter, Isabel, Duchess of Lancaster, who was grandmother of King Henry. Thus Alice was *great-*

<sup>1</sup> Printed in Registrum Magni Sigilli, v. 62, No. 196.

grandmother to Henry—and this old instance of Scotch cousinhood requires to be *twice removed*. This was the first of the line who was styled Earl of March, now corrupted into Merse.

The fifth Earl Patrick made a great marriage with the heroic Agnes Randolph, daughter of the able and gallant Thomas, Earl of Moray, nephew of King Robert Bruce, and Regent of Scotland at his death. Her two brothers, Earls of Moray, being killed in battle, she became heiress of the family, and inherited their large estates, in 1346. In 1337-8 she defended the Castle of Dunbar in her husband's absence, and ultimately succeeded in driving off the English after a siege of nineteen weeks. This may be held to be a somewhat unusual way of proving the greatness of a family to be distinguished by their wives; but may, in later times, be paralleled by the defence of Lathom House against the attack of the Commonwealth, by Charlotte de la Tremouille, the famous Countess of Derby.

I now return to the Dunbars themselves. There is no record of any charter settling the title till July 25th, 1368, when the fifth Patrick, in his old age (he was 84), divested himself of the Earldom to his eldest son, George, and his heirs; and King David granted a charter to him accordingly, and his heirs, to hold of the King and his heirs.

This fifth Patrick began his public life with no regard to the glory or advantage of his country. After King Edward II. had been routed at Bannockburn in 1314, and fled towards England, this Earl received the fugitive in his stronghold of Dunbar, and enabled him to escape to England by sea.

Lord Hailes says, that King Malcolm's "trust in this Northumbrian Lord was a hazardous stroke in policy, and it proved exceedingly hurtful to Scotland," because the family often showed a leaning to England, while they held the keys of Scotland. He quotes this instance from the *Scala Chronicon*, i. 547,<sup>1</sup>—"Counte Patrick of Marche full gentely received King Edward into his Castel of Dunbar." After losing this unexampled opportunity, he adhered to King Robert Buce, and fought for his country, and joined in asserting its independence in the letter to the Pope in 1320. Again, after the battle of Halidon Hill, in 1333, he went

<sup>1</sup> Sutherland Case, ch. iv. p. 68, note.

over to the party of Edward III. and Edward Baliol; but next year he returned to his allegiance, and he and his heroic Countess manfully resisted all English encroachments. He frequently went pilgrimages to the shrine of Thomas à Becket, at Canterbury, in his latter years.

In the above charter the King calls Patrick "ultimus comes" (late Earl), but he is not called "quondam," and gives George the rights which his father had before his resignation. This document is sufficient to prove that the right of succession to this Earldom included females. It may here be remarked, as it has been the cause of some confusion, that there are two charters on the same day to George de Dunbar without specifying the relationship to Patrick, one the son, and the other the brother, who got Cumnock and Mochrum, and founded a family, which divided, after four generations, into three females, who all married Dunbars, with one of which I have to deal.

The first George, Earl of March, was potent and valiant, like his father Patrick, whom he succeeded in 1368. But in 1371-2, his brother, John Dunbar, having married Marjory, daughter of King Robert II., the Earldom of Moray was conferred on him and his heirs by Princess Marjory, with remainder to Earl George and his heirs whatsoever, to hold of the King and his heirs. The influential event in this Earl George's life was the engagement he made with King Robert III., that his daughter, Elizabeth Dunbar, should marry the King's son, David, Duke of Rothsay. After paying most part of her dowry the jealousy of the Earl of Douglas interfered, and he got the marriage prevented and broke off, and the Prince married to his daughter. This deep affront and disappointment irritated the border chief so much, that, as already mentioned, he negotiated with King Henry IV., and disowned his own King. He threw off his allegiance, and went to England, where he was magnificently welcomed, and got lands from Lord Bardolfe's forfeited estate and others. He was in the battle of Shrewsbury, and gallantly assisted Henry in defeating the Percies. In 1409, however, he treated with Robert, Duke of Albany, the Regent, to be restored; but again Archibald the Grim, Earl of Douglas, intervened, and as he had possession of the Castle of Dunbar, he insisted on obtaining, in com-

pensation, the Castle of Lochmaben and Lordship of Annandale, which was given by charter, 2nd October, 1409. This grant is memorable, as being limited to the heirs male of Archibald Earl of Douglas's body; whom failing, to return to George, Earl of March, and his heirs whatsoever. The chief family of Douglas were among the first who introduced heirs male; in this instance it may have been to give a better chance of reversion to Earl George. After this the Earl of March, in witnessing charters, is postponed to his grim rival, who was a bastard! Earl George died in 1420, aged 82.

His son and heir, George, the last Earl of March, having had Annandale made over to him by his father, had to consent to its alienation. He was much engaged in negotiating the liberation of King James I. in 1424, as his grandfather Patrick had worked for King David II., but with a cruel and very different return of ingratitude, first to the Regent Albany, on whose jury he sat in 1425, and afterwards to him. Ten years after, in 1434, he was imprisoned in Edinburgh Castle, and his castle of Dunbar seized. The pretext was that his father had been forfeited for treason, and had only been restored by a Regent, whose power, in such a case, was inadequate. The King thus achieved his ruin by an arbitrary device, which the Parliament sanctioned, and destroyed the most potent male line of Earls then existing in Scotland. The victimised Earl, with his beggared family, went to England. The King was murdered three years after, in 1437, for another stretch of power, in unjustly seizing, on a false pretence, the Earldom of Strathern from the heir of his uncle David. The assassin, Robert Graham, was uncle and guardian to the dispossessed Earl, but he was instigated and abetted by another uncle of the King's, Walter Earl of Athol, who got from him the confiscated Earldom of Strathern for life; but the object of his latent ambition was the crown itself, on the ground of the alleged illegitimacy of the King's father, King Robert III.

It was not till after the King's death that the Three Estates gave to the late Earl of March, and to his son and heir, Patrick, out of the revenues of the Earldom, an annuity of 400 merks! His fate, and the date of his death, are unknown; but there is a payment to him from the Exchequer, as George de Dunbar, late

Earl of March, of 13*l.* 6*s.* 8*d.*, 9th April 1449. George is then styled "Comes Marchiarum et Dominus de Kilconquhar." He was alive in 1454, and still in possession of Kilconquhar. It appears that his son, Patrick Dunbar, had succeeded him in 1457, when he began the line of Dunbar of Kilconquhar, of which I have now to treat.

*Note to Chapter I.*

EARLS OF SCOTLAND, 5 February 1283-4. From "Sutherland Additional Case," ch. v.

1. Alexandrus de Cumin, Comes de Buchan.
2. Johannes, Comes de Athole.
3. Gilbertus, Comes de Anegus (Angus).
4. Walterus, Comes de Menetht (Menteth).
5. Robertus de Brus, Comes de Carrick.
6. Duncanus, Comes de (Fife).
7. Willielmus, Comes de Ross.
8. Dovenaldus, Comes de Marr.
9. Malcolmus, Comes de Levenax (Lennox).
10. Malisius, Comes de Strathern.
11. Magnus, Comes de adin (*qu.* Orcaden.).
12. Patricius, Comes de Dunbar.
13. Willielmus, Comes Sothirland.

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14. John, Earl of Caithness, absent till 1289.

The first nine Earldoms on the list are those which Lord Hailes so triumphantly proved had been inherited by females, some of them repeatedly.

The Earldom of March never opened to female succession. The only charter known is to heirs, to hold of the King and his heirs, 25 July 1368.

Down to past 1284 the title of Strathern had an unbroken male descent. At the first opportunity it went to female heirs. It is singular that the succession of the other two Earldoms, of Orkney and Caithness, should be mixed up with Strathern, because they were inherited by heiresses. The last male heir, Malisius Earl of Strathern, was also Earl of Caithness and Orkney by his second wife; but at his death about 1360 they separated among his daughters and their heirs. The eldest daughter Matilda by his first wife had, by Robert de Arde,

Alexander de Arde, who was heir to Strathern and got Caithness, both of which he had to surrender to the Royal Family separately; and by his second wife he had a daughter Isabel who married Sir William St. Clair of Roslin; and their son Henry was recognised as Earl of Orkney in 1370.

This completes the succession of female heirs.

## II. DUNBAR OF KILCONQUHAR.

We now proceed with this noble, potent, and historical family after its downfall. The only estate the Dunbars now possessed was Kilconquhar, in Fife, which escaped the sweeping doom of forfeiture because it was held, not under the King, but the Archbishop of St. Andrew's. They became so obscure that it is difficult to trace the descent distinctly down, especially as so many Patricks succeeded one another.<sup>1</sup>

I. Patrick Dunbar, eldest son of George, formerly Earl of March, and who had been designed "Maister of the March," even after the attainder, succeeded his father in Kilconquhar. His wife was Isabel, who received a payment of a portion of the pension in 1452. He had a charter of Kilconquhar in 1457.

A relation of the family, Archibald Dunbar, had Balbuthie (a part of Kilconquhar) in 1464.

Patrick had a son Patrick.

II. Patrick Dunbar of Kilconquhar made a distant addition to his estate, getting a charter to himself and Janet Dunbar his wife, daughter of Patrick Dunbar of Mochrum, in Wigtonshire, 21st June 1474. This Galloway laird had only three daughters, who divided most of his estates, and were all married to Dunbars. Janet was the youngest, and her share was called Mochrum Loch, and often Loch, for shortness. Thus began a curious separate history of a family between Fife and Wigtonshire, which probably had no other connection. They had another charter of her lands in 1479. They had a son and heir Patrick, and she survived him.

Patrick, as heir of March, had a transaction regarding Balbuthie in 1476.

<sup>1</sup> I now merely carry on the history, and reserve most of the proofs to the Chronological Notes, p. 291.

III. Patrick Dunbar of Kilconquhar married Christian Home, and was dead before 1496, leaving a son Patrick.

IV. Patrick Dunbar of Kilconquhar, styling himself "*Dominus de Kilconquhar*," grants a charter of mortification for the souls of himself; Patrick Dunbar, his father; Christian Home, his mother; Janet Dunbar (evidently his grandmother); and Isabel Dishington, his wife, in 1499. He is designed heir and successor of the Earl of March in a reversion of Balbuthie, 1500. He and his son Patrick were often in trouble. He was dead in 1516. (See Notes.)

V. Patrick Dunbar, younger of Kilconquhar, led an adventurous life, which terminated by his being killed at Flodden in 1513, in the lifetime of his father. His wife was Christian Macdowall of Garthland, regarding whose marriage and tocher were sundry disputes between 1501 and 1509. They had a son and heir Patrick.

VI. Patrick Dunbar of Kilconquhar succeeded in minority, under tutory of his uncle, David Dunbar. The family became now more decidedly Gallovidian, though the general public style was Kilconquhar. On his marriage with Margaret Gordon in 1520, he had a seizin of his lands in Wigtonshire to him and her. His service as heir to his grandfather Patrick was in 1539. They had a son Andrew, and four daughters.

VII. Andrew Dunbar of Kilconquhar, sometimes of Loch and Kilconquhar, succeeded. He married Eupheme Wemys, his wife, in 1559. He died without issue in November 1564.

Taking the sisters in their order:—

1. Janet married—1. William Mundale of Portounsoke; 2. William Adair, in Altoune. They had an only daughter, Christian Adair, who, in 1565, espoused a cousin, John Adair, second son of William Adair of Kinhilt. Janet was divorced for adultery, inasmuch as she was wife to William Mundale when she married William Adair, and she lived with them both together. She died afterwards in 1565, and her daughter's legitimacy was arraigned by her youngest aunt, Alison. After sixteen years' litigation, Christian got a decree admitting her legitimacy. But by this time she and her husband were almost ruined by such prolonged and expensive proceedings. She was

now old when she succeeded to her rights, and immediately made them over, 2 May 1583, to Ninian Adair, younger of Kinhilt, and, in return, accepted a small liferent from him. From this scanty and temporary provision, and from there being no children ever mentioned, there is the strongest probability that she had none.

2. Elizabeth Dunbar, another of the co-heirs, died unmarried in 1569. Elizabeth, in 1566, was supposed to have succeeded to a third of the family estates, in defect of birth in her niece, Christian Adair.

3. Margaret Dunbar, who, on the faith of her niece's bastardy, was called senior of the two remaining co-heirs of Andrew in contracts with Sir John Bellenden of Auchinoule, Justice-Clerk, in 1574, consenting for the sale of her lands to him, both what belonged to herself, and those that were then believed to have accrued by the decreed illegitimacy of Christian, and the death, without issue, of Elizabeth. This important charter is given in page 294, as it proves that Margaret was eldest of the two remaining sisters of Andrew, and that John Macdowall of Dowelstoun and Fruich was her son and heir, who carried on the line as it exists to this day in the person of the Marquis of Bute. Margaret's own marriages were not unexceptionable. She married—1. William Macdowall of Dowalstoun; 2. John Vans; 3. John Wemys, from whom she was divorced; 4. John Giffard, in Gorne.

4. Alison Dunbar, the youngest, married David Macculloch of Dreuchdag. He was the prime mover in the actions to set aside her niece, Christian, only daughter and pretended heir of her sister Janet, in which she temporarily succeeded; but the decree was long subsequently reversed. She had descendants for some generations.

I shall be very concise in recounting the descent of the Macdowalls of Freuch, whose pedigree is so well detailed in the Appendix to Nisbet's *Heraldry*.

II. John Macdowall of Dowalstoun and Freuch was son and heir of William Macdowall of Dowalstoun, and he married his cousin, Margaret Macdowall, sister and heir of John, and daughter of James Macdowall of Freuch by Florence Macdowall

of Garthland. She was served heir to her brother in 1575, and married in 1583. Her husband died in 1588. They had a son, John.

III. John Macdowall of Freuch married Margaret Vans, and had a son, Uchtred.

IV. Uchtred Macdowall of Freuch married Agnes Agnew, and had a son, Patrick.

V. Patrick Macdowall of Freuch married Barbara Fullarton of Freuch, and had a son, Patrick.

VI. Patrick Macdowall of Freuch was served heir of Patrick his father, and of Uchtred his grandfather, in 1692. He married Margaret Haltridge of Dromore, in Ireland, and had a son, John, and died in 1729.

VII. John Macdowall of Freuch married Lady Elizabeth Crichton Dalrymple, daughter of Penelope, Countess of Dumfries in her own right, and had a son, Patrick, who became heir to that Earldom.

VIII. Patrick, V. Earl of Dumfries, succeeded his uncle, William, Earl of Dumfries and Stair, in 1768; and in 1771 married Margaret Crawford of Restalrig, and had only a daughter, his heir, Elizabeth Penelope. He died in 1803.

IX. Lady Elizabeth Penelope Macdowall Crichton died before her father, in 1797. She married in 1792, John, Viscount Mountstuart, born 1767, eldest son of John, first Marquis of Bute. He died before his father, in 1794, leaving two sons—1. John; 2. Patrick James.

X. John, VI. Earl of Dumfries in 1803, II. Marquis of Bute in 1814, born 1793, married—1. in 1818, Lady Maria North, who died s. p. in 1841; 2. in 1845, Lady Sophia, daughter of Francis, I. Marquis of Hastings, who died in 1859, by whom he had a son, John Patrick. He died in 1848.

XI. John Patrick, III. Marquis, VII. Earl, born in 1847, heir-general of the Dunbars, so long ago Earls of March.

If that most unjust stretch of authority were disavowed, and the iniquitous attainder by King James I. in 1434 were reversed, the Marquis of Bute would have a claim to be Earl of March, as heir of line to that very ancient race of Earls. This is proved by the inheritance of all the old Earldoms by female heirs, and

by the only known charter of this Earldom of March, dated 25 July 1368, being to heirs generally.

*Notes to Chapter II.*

Besides Kilconquhar the Dunbars had another property in Fife, Balbuthie, originally a pendicle of the greater estate, given to younger branches and again reverting to the head of the family. These both held of the Archbishop of St. Andrew's. They also acquired Mochrum Loch in Galloway.

ABSTRACT OF PROOFS ARRANGED.

1351. One of the oldest transactions of the Earls of March in Fife, relates to a charter by Richard de Aynstrother to John Strang and Cicilie his sister granting Wester Pitcorthy, etc. confirmed by Patrick de Dunbar, Comes Marchie, et Agnes Comitissa ejusdem, sponsa sua, apud Dunbar, 2 January 1351.
1390. George Earl of March settles with the King as to the lands of Kilconquhar in Fife.
1449. George last Earl of March after his forfeiture was still occasionally styled Comes Marchiarum et Dominus de Kilconquhar, as on April 9, 1449, in a perambulation of marches between him, who was present, and Walter Strang, Dominus de Pitcorthy. Alan Stuart, Bishop of St. Andrew's, justiciary there, gave the decree.
1454. George was still alive 1454, and called quondam Earl of March on payment of his pension. He had a son and heir Patrick.  
Patrick appears in various charters and deeds,—  
Patrick de Dunbar, filio nostro et herede, 10 October, 1423.  
" " primogenito nostro, 24 January, 1424.  
" " son and heir of Geo. Erle of Dunbar, 1435.  
" " "Maister of the March," 10 August 1440.  
" " and Isabel his wife, 1452.
1456. Patrick de Dunbar of Kilconquhar heir of George formerly Earl of March, Knight, gives Balbuthy to two chaplains for mass. He had a son and heir Patrick.
1457. Patrick had a charter of Kilconquhar from the Archbishop after he had succeeded 1457.
1464. Balbuthie resigned by Archibald Dunbar to the Archbishop of St. Andrew's, the superior.
1474. Patrick Dunbar got a charter under the Great Seal—viii. 275, 21 June, 1474—to him and Janet Dunbar, his wife, third and

youngest daughter and co-heir of his cousin, Patrick Dunbar of Mochrum, in Galloway. Her third of Mochrum was called Mochrum *Loch* or simply *Loch*.

1476. Patrick Dunbar, heir of George, sometime Earl of Dunbar, resigns lands for charter of mortification to Archbishop, 1476.

1479. Patrick and Janet have another charter, 3 April, 1479. It appears she was still living in 1499. They had a son and heir Patrick.

1488. Patrick Dunbar of Kilconquhar, sone and apperand are to Patrick Dunbar of Kilconquhar. He had a respite for slaughter. —Privy Seal Record, 1488. He succeeded to Kilconquhar, married Christian Home, and had a son and heir Patrick.

1491. Patrick sued for wrong verdict as to the Dishingtons.

1496. Patrick Dunbar of Kilconquhar, and Isabel Dishington have a charter. She is widow of Alexander Abercromby of that ilk and Murthlie to whom she had children specified. As

1499. Patrick Dunbar, Dominus de Kilconquhar, he gave a charter of mortification for the souls of himself, of Patrick Dunbar his father, Christian Home his mother, Janet Dunbar, evidently his grandmother above, and Isabel Dishington his spouse, granting lands and mill of Kilconquhar, etc. 1 June 1499.

They have another charter, 21 June, 1507, from Alexander Archbishop of St. Andrew's.

1500. Assig nation by Patrick Dunbar of Kilconquhar, heir and successor of the Erle of March, to John Dunbar of Mochrum of the reversion of Balbuthie, as let out for reversion by Archibald Dunbar of Spot to George Erle of March.

1501-2. Patrick Dunbar of Kilconquhar and Patrick Dunbar his son and apparent air. Privy Seal, vol. iv.

1502. Patrick Dunbar of Kilconquhar, air and successor till umquhile George Earl of March.

1503. Remission for resetting Patrick Dunbar, his son and apparent air, 14 April, 1503. Patrick Dunbar, the son, at the horn. (Privy Seal, iv. 30.)

1506. Patrick Dunbar of Kilconquhar had a charter to him and Isabel<sup>1</sup> Dishington his wife, from Alexander Archbishop of St. Andrew's.

1509. Patrick Dunbar of Loch.

1516. Patrick Dunbar of Kilconquhar survived his eldest son, and died before 1516.

<sup>1</sup> Isabel and Elizabeth often interchanged.

1518. His widow, now called Elizabeth<sup>1</sup> Dishington, married again Thomas Dunbar.

Patrick, besides his son Patrick, had a son David.

1501-9. Patrick Dunbar, younger of Kilconquhar.

Patrick Dunbar of Mochrum (Loch) and Kilconquhar, had actions against Helene Makdowell regarding marriage of Patrick Dunbar, son and apparent heir of Patrick and Christian Makdowell, sister of Uchtre Makdowell of Garthland, between 1501 and 1509.

1513. Patrick, younger, was killed at Flodden, leaving a son, Patrick, a minor, whose succession Alexander, Earl of Crawford, warranted.

1516. Patrick Dunbar of Kilconquhar, under tutory of his uncle, David Dunbar, styled oy (grandson) and air of umquhile Patrick Dunbar of Kilconquhar. Elizabeth Dishington, relict of Patrick Dunbar, grandsire to Patrick.

1520. He married Margaret Gordon, and had a sasine with her.

1523. He has a retour (inquest) from James, Archbishop of St. Andrew's, as grandson of Patrick and Isabella Dishington.

1539. Again heir to his grandfather, Patrick.

1540. David, Archbishop of St. Andrew's, gives him a charter of Kilconquhar, including Balbuthy. Patrick died soon after, leaving a son, Andrew, and four daughters.

1556. Andrew Dunbar of Loch and Kilconquhar.

1557. Andrew Dunbar of Loch gave a charter to John Dunbar of Mochrum. Eupheme Wemys, his wife, died in 1567.

1564. Andrew Dunbar of Loch and Kilconquhar died without issue in November 1564. There are almost innumerable transactions regarding his succession by his four sisters; but it is needless to recount them further than they have been already stated.

The separation of the estates into four parts, the domestic and matrimonial arrangements of two of the sisters, and the tedious litigation against the daughter of the eldest, as being disqualified by birth to succeed her mother, were causes sufficient to ruin more than one family. All that need be added is, that Christian Adair, who made up a title to enable her to sell her estates, may, for the reasons above, be concluded to have had no family—none having appeared for 300 years. She died in old age and poverty, dispossessed of her estates. Margaret's son and heir is now nobly represented by the Marquis of Bute.

1574. TRANSLATION of the *Essential Charter in the case of the Succession to the Family of DUNBAR OF KILCONQUHAR.*

Mag. Sig. xxiv. 127.—July 20, 1574. The King has confirmed a charter of Margaret Dunbar senior, and one of the two sisters and heirs of the late Jonet Dunbar and Elizabeth Dunbar, who were two of the four sisters and heirs of the late Andro Dunbar of Loch (in which, with consent of John Giffert in Gorne, her spouse, for fulfilment of a contract at Kirkwall, September 2nd, 1566, and another contract at Edinburgh, July 12th, 1574), she sells and alienates to Sir John Bellendene of Auchnoule, knight, Justice-Clerk of our Sovereign Lord the King, and Jonete Setoune, his wife, &c. the half of the quarter of the lands underwritten, in the parish of Mochrum, belonging to her as then senior, and one of the two sisters of the said deceased Elizabeth. Edinburgh, July 13, 1574. Witnesses—David Makculloche of Drochdag. John Makdowell of Fruich and Dowelstoune, son and heir-apparent of the aforesaid Margaret.

128.—Another charter by the same to the same. Same day.

There is no doubt regarding the Macdowall descent to this day.

### III. DUNBAR, EARL OF MORAY.

There still remains a very important point to elucidate in the history of the Dunbars. As the direct Fife line disappeared in 1564, and no collaterals have been traced, the question arises, Who is heir-male of that distinguished race? The last Earl of March, who held the title from 1420 to 1434, and was father of Patrick, first of Kilconquhar, had many brothers, but none of their lines continued. His father, the penultimate Earl, the first George, was eldest son of the last Patrick, who had only one other son, John. This Earl Patrick had married Agnes Randolph, daughter of Thomas, Earl of Moray, whom his uncle, King Robert, had made Earl of Moray, by a remarkable instrument of creation, without a date, but about the time of the battle of Bannockburn, in 1314. His two sons, successive Earls of Moray, being killed in 1332 and 1346, without issue, Agnes, Countess of March, became a great heiress. Patrick called him-

self, in 1350, Earl of March and Moray, and Agnes, Countess of Moray, though the original Earldom was restricted to heirs-male.

In 1366-7, Patrick, Earl of March and Moray, witnessed a charter of King David II. King David Bruce had no children to aggrandise; but King Robert, the first of the Stuart line, was multitudinous in his offspring, and did all he possibly could to benefit them, as in the cases of Strathern and Caithness, March and Moray. Being told of a flaw in the last title, as having been originally restricted to heirs male, he secured a great fortune for a daughter. In March 9, 1371-2, John Dunbar, second son of Earl Patrick and Agnes, and brother of Earl George, in consequence of his alliance with Marjory, daughter of King Robert II., got a charter of the Earldom of Moray to them and their heirs, whom failing, to return to his brother George, and his heirs-general. This 1st Earl, John, was killed at a tournament in England in 1393. He and the Princess had, at least, three children—Thomas, Alexander, and Eupheme, who was, in 1408, contracted by her brother, Thomas, II. Earl, to marry Alexander Cumyn. But this alliance, if it were completed, could bring no succession, as her brother, Alexander, had a son, James, who became IV. Earl, as heir to his cousin. Their son, Thomas, II. Earl, was alive May 1414, when John de Narn made a grant to his son, John, verified by seal of Thomas, Earl of Moray, and Thomas de Dunbar, his eldest son and heir. I may here mention that the contract of marriage with Hucheon Fraser, Lord of the Lovet, for his son and ayre, also could not bring the Earldom, as it was primarily an engagement with an illegitimate daughter, gottin or to be gottin by Isobel of Innes, or failing them, with a legitimate daughter by his spousit wyf. Thus, had there been lawful posterity, they would have cut off the succession of James, who became IV. Earl by the two successive Thomases having left none.

The date of the death of the II. and III. Earls is not exactly ascertained. Thomas, II. Earl, was alive in 1414, and his son, Thomas, III. Earl, in 1424, but his cousin, James, had succeeded him immediately afterwards. His widow, Marion Seton, married Sir John Ogilvy of Lintrathen, from whom descended the Earls of Airlie.

James, IV. Earl of Moray, was son of Alexander Dunbar, Lord of Frendraught, and Maud Fraser, heiress of Frendraught, and he was second son of Earl John and Princess Marjory. He was still only Lord of Frendraught in 1424. This Earl, by his wife, Janet Gordon, daughter of Alexander, Earl of Huntly, had only two daughters, his heiresses, Janet and Elizabeth. At one time Mr. John Riddell, in his efforts to correct the Peerage writers, made out that these sisters were only the children respectively of the cousins, Earl Thomas, the III., and Earl James, the IV. Earl. He was misled by Elizabeth being called daughter of Thomas in the Chamberlain's book, but he afterwards saw his error, and rectified it. Had she been daughter of Thomas, she must have succeeded to the Earldom, and her father, James, would not have become Earl.

To clear up this point, it is only necessary to quote a deed, when Earl James had been some years dead, by which the Earldom was settled upon Archibald Douglas, second son of James, Earl of Douglas, and Elizabeth Dunbar, one of the two daughters of James, Earl of Moray. I give this important deed in a note. Such was then the power of the House of Douglas, just before their downfall, that this grant was for Archibald's marriage with the younger sister, but he thereby became Earl of Moray. It is curious to see that this one document proves Mr. Riddell to have been wrong in dividing the sisters into cousins, and that Mr. Joseph Robertson, another great antiquarian writer, should have mistaken the date, as if no one could claim infallibility unless the Pope of the day. It is the sixth of the King's reign. He took it for granted that was King James III., and so made it 1466, when two of the parties, James, Earl of Douglas, and Archibald, his son, were both dead in 1443 and 1455 respectively. James only succeeded his grand-nephew as Earl of Douglas in 1440, when he was old, and as he died in 1443 the transaction must have been between these dates. Archibald, *pretensus Comes Moravie*, so called after he was in rebellion, was killed at the battle of Arkinholm, in Dumfriesshire, 1 May 1455, and forfeited by Parliament in June thereafter. Elizabeth, his widow, could scarcely have heard of his slaughter, when, twenty days afterwards, as Countess of Moray, on the 20th May 1455, she con-

tracted to marry George, Master of Huntly, afterwards II. Earl of Huntly, in 1470. This marriage, however, was impeded by want of a dispensation, and was broke off. In the contract it is mentioned that she had then a son and heir by quhilum Archibaulde, Erle of Murray, James Douglas, who must have died young, as he is never heard of again, and a daughter, Janet, then married to Huchone Fraser of the Lovate. She must have been then very young. But it is remarkable that the historian of the Frasers of Lovat seems not to have known this important transaction; though it apparently had no results, as the mother, Elizabeth, was soon dispossessed of the Earldom of Moray by her elder sister, Janet. She then married Sir John Colquhoun of Luss, afterwards Chamberlain of Scotland. She is then called *olim* Comitissa Moravie. Meantime her elder sister, Janet, was, after her, also entitled Countess of Moray, and Lady of Frendraught, the estate which came to her father by his mother, Maud Fraser. She did not bear the title many years, though it seems not known how it came to be dropped. She had married James, II. Lord Crichton, son of the Lord Chancellor Crichton.

According to the Chronicle of James II., James was beltit Earl of Moray in 1452. Janet married, 2nd, John Sutherland. She was alive in 1493, when she resigned Frendraught, and got for her grandson, James Crichton, a charter of it. She is then called Janet Dunbar, Lady of Frendraught. Her son, William, III. Lord Crichton, was forfeited in 1483-4. Her descendant, Sir James, was involved in the catastrophe of the burning of Rothiemay Castle, which well nigh ruined him; but his son James, in consideration of his descent from the Chancellor Crichton, was created Viscount Frendraught in 1642, when his father refused the honour! They have many descendants. It now only remains to be stated that James, Earl of Moray, had a son, Alexander Dunbar, by another Isabel Innes. His parentage is constructively known by his getting lands from his sister Janet, therein called Countess of Moray. There is an allegation of marriage which failed of completion through not getting a dispensation; but the fact of his not succeeding his father as Earl of Moray, while both his sisters were Countesses of Moray successively, proves that he could not be the son of a marriage. His sister, Elizabeth,

Countess of Moray, and her husband, Archibald, Earl of Moray, made him Hereditary Sheriff of Moray, and gave him the Barony of Westfield in 1450; and he also got lands from his sister, Janet, Countess of Moray. A charter, 17th January 1458, by Alexander de Dunbar, of Westfield, to his wife, Isabel de Sutherland, of lands of Conzie, is with consent and assent of a noble lady, Lady Janet, Countess of Moray, and Lady Frendraught, his Lady Superior, his dearest sister.

By his high-born wife, Isabel Sutherland of Duffus, he had six sons, all of whom got estates except two, who were churchmen; but his two elder sons James and John marrying Eupheme and Margaret, the two elder co-heiresses of Patrick Dunbar of Mochrum, in Galloway, and Cumnock, in Ayrshire, raised the family to an important position both in the north and south four hundred years ago; and through that marriage the descendants are entitled to the pure arms which Dunbar of Mochrum bore.

*Note to Chapter III.*

The King present. Edin. 26th April, 1442. Precept in favour of Archibald de Douglas and Elizabeth Dunbar, 6 of King James II. A.D. 1442.<sup>1</sup>

Charter by King James (II.) conceding to his dear and faithful Archibald de Douglas, 2nd born son of his dearest cousin James Earl of Douglas, lands of Kyntor, which were Janet and Elizabeth de Dunbar's, daughters of deceased James de Dunbar, Earl of Moray, hereditarily, and which they resigned into the King's hands in their maidenhood—to hold the lordship of Kyntor to the said Archibald and Elizabeth, and to the heirs male legitimately to be procreated between them, whom failing to the heirs male of the body of Archibald legitimately to be procreated, whom failing to the other daughters of said James, whom failing to the heirs whatever of Elizabeth. Sasine ordered to be given.

*Antiquities of the Shires of Aberdeen and Banff*, vol. iii. p. 231. Parish of Kintore. (Spalding Club.)

These remainders again show the unusual preference entertained by the Douglasses for heirs *male* even in the case of acquisition from a female heir.

<sup>1</sup> Archibald's father James was only Earl of Douglas from 24th November 1440 till 24th March 1443, so that it must have been King James II. in the sixth year of his reign, or 1442.

#### IV. DUNBAR OF MOCHRUM, CUMNOCK, ETC.—FIRST FAMILY WHO HAD MOCHRUM.

FOR LATEST HEIRS-MALE.

George de Dunbar, who got Mochrum from his brother Patrick, IX. Earl, in 1368 (as in page 294), was then aged, and did not long survive. By Alicia More or Mure, aunt of Elizabeth, wife of King Robert II., he left two sons—1. David; 2. Patrick. (David got a charter of Blantyre and Cumnock in 1375, but having no issue, his brother Patrick succeeded.)

Patrick got Mochrum from his father while a prisoner in England in 1423. He died about 1435, leaving two sons—1. John; 2. Patrick of Park.

Sir John Dunbar of Mochrum, 1432, styled Lord of Cumnock and Mochrum, &c. had two sons—1. Patrick; 2. Cuthbert.

Patrick Dunbar of Cumnock and Mochrum had a charter on his marriage with Margaret, daughter of Sir Thomas Boyd, in 1437. By her he had three daughters—1. Eupheme; 2. Margaret; 3. Janet. He seems to have been persuaded to disinherit his daughters in favour of the heir-male, his brother Cuthbert, who got a charter, 11 August 1472 (vii. 148), giving him the Barony of Cumnock, in the county of Ayr; Mochrum, in the lordship of Galloway (vii. 300); and Blantyre, in the county of Lanark (viii. 278); but this he cancelled, and then he granted the same lands to his three daughters and their husbands, who were all three Dunbars—1. Eupheme, married James<sup>1</sup> Dunbar; 2. Margaret, married John<sup>1</sup> Dunbar; 3. Janet, married Patrick Dunbar of Kilconquhar, heir of the Earls of March. Cumnock, Mochrum, and Blantyre, to be divided into thirds. The charter (viii. 279) annulling the grant to Cuthbert, brother of Patrick, is unfinished. The three sons-in-law have another charter (viii. 78)

<sup>1</sup> The two elder sons of Alexander Dunbar of Westfield, mentioned in page 308.

in 1477. Cuthbert gets a charter (ix. 19, 17) of the Barony of Blantyre in 1479. The three sons-in-law of Patrick have another charter of division (ix. 20, 18) on resignation of Cuthbert and of the other three Dunbars. Cuthbert did not get Cumnock, but he kept Blantyre, and had also Enterkyn, in Ayrshire. Cuthbert had a son, John, who succeeded.

John Dunbar of Blantyre got a charter as heir-apparent of Cuthbert, his father, in 1502. Had a son, John.

John Dunbar of Blantyre was invaded in 1536. He and Agnes Mure, his wife, had a charter, in 1545, of lands in Lanarkshire. He had, in 1550, another charter of lands in Ayrshire. He was alive in 1563, and had two sons—1. William; 2. Alexander Dunbar, of whom afterwards.

*Note.*—About this time John Dunbar of Barmure lost his wife, Elizabeth Hamilton, leaving two daughters. He was evidently related. There also was a John Dunbar of Leocht, and Patrick, his brother, in 1599.

William Dunbar of Enterkyne had a charter, as son and heir of John Dunbar of Blantyre, of the Barony of Blantyre and lands of Enterkyne, in 1563. He had a charter, in 1577, on a contract, 1575, with William Hamilton of Sanquhar, for 10*l.* of his lands of Easter Sanquhar, confirmed to his son, William, 28th June 1602. He was of Blantyre and Enterkyne in 1585. Had a son and heir, William.

William Dunbar of Enterkyne was served heir to his great-grandfather, Cuthbert, in 1599. He had charters of his lands in 1599, 1600, and 1602. In the last he is styled *olim de Blantyre nunc de Enterkine*, showing the sale of Blantyre. He died in 1605, leaving a son and heir, William.

William Dunbar of Enterkine was served heir of his father, William, in 1609. He married Annabella, daughter of Chalmers of Gaidgirth. He had two sons—1. James, who had succeeded in 1616, and died s. p. in 1622; 2. David, who succeeded James.

David Dunbar of Enterkine in 1622. He had a charter in 1623. He married—1. Annabella, sister of Hugh, I. Lord Loudoun, widow of Daniel Ker of Kersland, who died in 1613;

2. Elizabeth Campbell of Lawers, sister of John, I. Earl of Loudoun.

I cannot follow out this line to its end; but it appears not to have lasted much longer.

#### DUNBAR OF MACHRIMORE.

I conclude with the last branch known.

Alexander Dunbar of Machrimore, second son of Long John Dunbar of Enterkyne, had a son, Anthony. Machrimore was bought in 1623.

Anthony Dunbar of Machrimore married twice. By his second wife, a daughter of John Stewart of Physgill, he had a son, John.

John Dunbar of Machrimore was served heir to his father in 1663. He married a daughter of John Macdowall of Logan, and had Patrick.

Patrick Dunbar of Machrimore married a daughter of Macdowall of Freuch, and had Alexander.

Alexander Dunbar of Machrimore, who married a daughter of John Hamilton of Bardarroch, and had—1. a son, Charles Warner; 2. a daughter, married — Nugent, and had a son, Major Robert Nugent Dunbar, now representing this branch, as heir to his uncle, but not as heir-male.

Thus the heir-male of this most distinguished race was found in Galloway, in this family, but is now again to seek.

Failing all of the name of Dunbar, and I do not find any who even seem to have a claim of descent and consequent representation, the nearest male-heir would be the Earl of Home, descended from Patrick, brother of Waltheof, I. Earl of Dunbar.

## SHAKESPEARE AND GENEALOGY.

SHAKSPEAREANA GENEALOGICA. Part I. Identification of the Dramatis Personæ in Shakspeare's Historical Plays: from K. John to K. Henry VIII. Notes on Characters in Macbeth and Hamlet. Persons and Places belonging to Warwickshire, alluded to in several Plays. Part II. The Shakspeare and Arden Families, and their connections: with Tables and Descent, Compiled by GEORGE RUSSELL FRENCH, Author of *The Ancestry of Queen Victoria and Prince Albert*, 1841; and of *The Royal Descent of Nelson and Wellington*, 1855. London and Cambridge: Macmillan and Co. 1869. 8vo.

We read that Shakespeare on several occasions was kind enough to stand godfather to the children of his friends, and so we may imagine that our great Poet,

Who was not for an age, but for all time,

still extends his good-natured patronage to the literary offspring of successive generations of his votaries. He stands godfather to the literary offspring of a great variety of authors. Under the sanction of his inspiring name, and under the instruction of the priests who administer in the courts of his temple, almost all the arts and sciences may now be pursued, as well as all the lessons of morality and religion, if not the more intricate questions of theology and faith.

Above all, English history and the history of our great families may be pleasantly gathered, *with due correction*, from the pages of Shakespeare; and when it is considered that his works, as respects a very important division of them, range as dramatic "Histories,"—histories derived chiefly from the most stirring events in the annals of his native country, it must be admitted that genealogy, and particulars of the alliances, the antipathies, and the antagonisms of great families, upon which so much of mediæval history depends, is a subject which, above most others, has much to do with an intelligent and perfect appreciation of the plays in question.

If Shakespeare himself is not always exact either as an historian or a genealogist, that forms the best apology and justification of the commentator. In some instances Shakespeare, like other writers of romance, may have purposely deviated from the actual course of events; but in many points he is unintentionally inaccurate, having been misled by the old chroniclers from whose pages he gathered his incidents, or by the earlier dramatists who had already perverted them. It is told of the great Duke of Marlborough, that he relied, for a knowledge of English history, entirely on the representations of Shakespeare; and

we imagine that there are still many who, in simple faith, are contented to follow the illustrious example of the hero of Blenheim. The more inquiring will always be grateful for critical assistance.

It was with the object of comparing and adjusting the "histories" of Shakespeare with the actual truth of history that a very good book was produced by the Rt. Hon. T. P. Courtenay in 1840.<sup>1</sup> During the last thirty years there has flourished a fresh generation of commentators who have gladly availed themselves of his observations and have added some little of their own. But all the *personæ* who are in any manner introduced by Shakespeare are now systematically treated by Mr. French, who has performed his task with great care and diligence, and yet without tedious prolixity or superfluity of illustration.

When the events and the personages of *Hamlet* and *Macbeth* are submitted to critical investigation, it is not surprising to find that they partake much more largely of romance than sober history. The story of *Macbeth* is supposed to have been brought to the attention of the Poet by one of the entertainments offered to King James by the scholars of Oxford in the year 1605, and it was certainly a composition consequent to the accession of the Scottish monarch to the English crown. In the characters of *Hamlet*, a metaphorical exhibition is thought to be given of Sir Philip Sidney and his eminent contemporaries in the court of Elizabeth.

But both *Hamlet* and *Macbeth* must be classed as true Tragedies. *King Lear* also (upon which Mr. French does not enter) belongs to a mythical period; whilst the "Histories" by which Shakespeare and some of his fellow dramatists undertook to impart to the people a knowledge of secular history, after the like fashion as the clergy had previously taught Scripture history in their Mysteries and Miracle-plays, are amenable certainly to stricter animadversion where they deviate from the truth.

The History of *King John* is the earliest in chronological order. It had been preceded by the *King Johan* of Bishop Bale (which has been edited by Mr. Collier for the Camden Society), but with which Shakespeare shows no acquaintance, and by *The Troublesome Raigne of John King of England*, printed in 1591, from which he materially copied—if he had not actually "had a hand in it," as Pope suggested that he had, jointly with William Rowley. From that play Shakespeare's *King John* derives no little historical confusion in regard to many of

<sup>1</sup> Commentaries on the Historical Plays of Shakespeare. 2 vols. Post 8vo.

the principal characters : and particularly those humoursome adversaries the Archduke of Austria and Philip Faulconbridge.

The Archduke of Austria had been called in *The Troublesome Raigne* "Lymoges the Austrich Duke," and Shakespeare has retained so much of the error as to make the Lady Constance in Act iii. sc. 2 address him as "O Lymoges, O Austria!" But this was to combine two perfectly distinct persons: Vidomar the Viscount of Limoges, before whose castle of Chaluz King Richard received his mortal wound in 1199, and Leopold V. Duke of Austria, who had imprisoned the royal crusader at Vienna in 1193, but died himself in 1194. It is therefore by poetic licence alone that the Archduke of Austria, regarding whom King Louis is made (untruly) to say—

Richard that robb'd the lion of his heart,  
And fought the holy wars in Palestine,  
By this brave Duke came early to his grave,

is introduced at all into a "History" of the reign of John.

Then, as to *Faulconbridge*,—the motley composition of his name and character is almost unparalleled. When introduced upon the stage, he styles himself<sup>1</sup>

————— a Gentleman  
Born in Northamptonshire, and eldest son  
(As I suppose) to Robert Faulconbridge,  
A soldier by the honour-giving hand  
Of Cœur de lion knighted in the field.

He has a younger brother, Robert, who disputes the inheritance of their father's land as having been bequeathed to him by "old Sir Robert's will." Philip, flattered by the notice of the King, and of Elinor the Queen Mother, who both recognise his likeness to the late

<sup>1</sup> We append the fuller version from the earlier play—

"My father (not unknown unto your grace)  
Receiv'd his spurs of knighthood in the field  
At kingly Richard's hands in Palestine,  
When as the walls of Acon gave him way:  
His name Sir Robert Fauconbridge of Mountbery.  
What by succession from his ancestors,  
And warlike service under England's armes,  
His living did amount to at his death  
Two thousand markes renew every yeare:  
And this (my lord) I challenge from my right  
As lawfull heire to Robert Fauconbridge."

"Fauconbridge of Mountbery,"—where was that?

King Richard, accepts with alacrity the reputation of being a bastard of Cœur-de-lion, renouncing his patrimony, and becoming

Lord of his presence, and no land beside;

whereupon the King confers upon him knighthood and alters his name to Richard with the surname of Plantagenet.

Now, this most extraordinary conglomeration of Philip Faulconbridge, a bastard of King Richard, is formed by putting together these three ingredients: 1. Philip, a natural son of Cœur-de-lion—but whose surname is not recorded; 2. Falkes de Breauté, a Norman, who by his martial talents attained high distinction in this country; and 3. the well-known “bastard Falconbridge” of a much later period of English history.

The chronicler Holinshed supplied the first ingredient, stating that “Philip, bastard sonne to King Richard, to whom his father had given the castle and honour of Coinache,<sup>1</sup> killed the viscount of Limoges in revenge of his father’s death;” and the continuator of Hardyng’s chronicle had made the enormous blunder of confusing him with “one Faulconbridge, th’erle of Kent his bastarde, a stoute-harted man:” the real era of the bastard Falconbridge, son of William Neville lord Falconbridge, earl of Kent, being two centuries and a half later. But in Faulconbridge we evidently further recognise the corrupted misnomer of another great captain, Falkes de Breauté, whose name repeatedly occurs in the annals of King John and Henry III. but who in turn has very frequently been incorrectly named even by genealogists. Dugdale in his *Baronage* introduces him as Foulke de Breant; and Sir Harris Nicolas in his *Synopsis of the Peerage*,<sup>2</sup> gives his name as “Foulke de Breant.” Mr. French himself has not been sufficiently alive to this misrepresentation of both the christian and the surname: nor has he been aware of two features in the history of the personage in question, that should not be omitted in a book connected with the drama,—the one that Falkes was himself a poet, and is commemorated in that character by Mrs. Dobson in her *Literary History of the Troubadours*; the other that it was from his name (as owner, and probably builder,) that the manor-house of Vaux-hall in Lambeth was denominated,—the scene of a late popular place of musical entertainment, which (like the workhouse

<sup>1</sup> He is thus mentioned by Hoveden.

<sup>2</sup> In the revised edition, *The Historic Peerage*, by Courthope, the surname is corrected. The historian Hume introduces him, early in the reign of Henry III., as “Fawkes de Breanté, a man whom king John had raised from a low origin.”

prison of Bride-well near Fleet-street,) has transmitted its generic name to so many other Vauxhalls in all parts of the world.

Mr. French (p. 21) has a separate note on *Lady Faulconbridge*, stating that

Some writers assert that the mother of Philip Faulconbridge was a lady of Poitou, of which province Cœur-de-Lion was made count or earl by his father, with half its revenues for his support ;

but surely this statement can be only correct if we strike out the surname Faulconbridge.

Shakespeare, in all the scenes where Austria and Faulconbridge meet, sustains the idea that the latter persecutes the former as the murderer of his father ; and at length the 4th scene of the 3rd act is a field of battle, in which Faulconbridge enters with the head of the object of his cherished revenge, when, throwing it down, he exclaims<sup>1</sup>—

————— Austria's head—there lie !

Thus hath King Richard's son perform'd his vow,  
And offer'd Austria's blood for sacrifice  
Unto his father's ever-living soul.

This is a wide variation from the truth of history : and whether the statement that the Viscount of Limoges was slain by King Richard's natural son Philip be well-founded or no, Mr. French should withdraw his positive assertion (p. 16) that “this Lymoges was slain by Faulconbridge in 1200”—“Faulconbridge” being at any event a mere *nominis umbra*.

Then, in *Hubert*, the compassionate jailer of the lovely prince Arthur, we have evidently a name derived from the great justiciary Hubert de Burgh, Earl of Kent. In the *Dramatis Personæ* prefixed to the play Hubert is classed, accordingly, among the Lords of the English court ; but the fact that Shakespeare himself regarded him very differently is proved by the altercation in act iv. sc. 6, where Hubert tells the Earl of Salisbury that he was provoked by the Earl's behaviour to forget

Your worth, your greatness, and nobility ;  
and the Lord Bigot, a bye-stander, exclaims,

Out, dunghill ! darest thou brave a nobleman ?

Now, admitting that *Hubert* is identical with Hubert de Burgh,

<sup>1</sup> These three outrageous lines are retained from the older play of *The Troublesome Raigne*, where they occur with ten more, in the course of which Philip alludes to his being Duke of Normandy, King John having just before elevated him to that dignity.

there could not be a stronger example of Shakespeare's deficiency in genealogical lore, inasmuch as Hubert de Burgh was descended in the male line from the Emperor Charlemagne, and his own marriages were with royal houses, whilst he was justiciary of England in the reign of John, and Earl of Kent in the next reign.

As little does Shakespeare appreciate the historical position and character of the Earl of Salisbury: being unaware that he was the King's half-brother,<sup>1</sup> and uniformly loyal to him; as indeed was the Earl of Pembroke, though the Poet represents them both as leaders of the opposition.

*Bigot*, another of the Lords, is a very subordinate character in the drama, but Mr. French identifies him with Roger Bigod, second Earl of Norfolk; upon which we should have no remark to make, but for the appended line—

*Arms of Bigot.*—*Gules, a lion passant Or.*—GLOVER.

It is a part of Mr. French's plan to attach to his biographical notices the blazon of the coat-armour of the persons described: and he has evidently bestowed great pains on that feature of his undertaking. In this instance, however, instead of the arms of Bigod, Earl of Norfolk, which are well known to have been *Or, a cross gules*, he has adopted the coat of Hugh le Bigot, a contemporary<sup>2</sup> who would serve just as well for Shakespeare's "Lord Bigot," but then he was not the Earl of Norfolk.

Regarding the Lady Constance, mother of Prince Arthur, Mr. French shows that she was not, as she is made to describe herself,

A widow, husbandless—

but actually the wife of a third husband Guy Viscount of Thouars, after being divorced from her second mate, Ralph de Blundeville, Earl of Chester; and the real date of her death was Aug. 31, 1201, three years before that of Queen Elinor, not "three days" as related by the Messenger in Act iv. sc. 2.

The closing scene of the play of *King John* involves errors in regard

<sup>1</sup> Mr. French is not quite accurate when he states that "his half-brother, Richard I. had bestowed upon him the hand of a great heiress, Ela, daughter of William *de Evereux*, Earl of Salisbury, to which title Long-sword succeeded *at the death* of his father-in-law." Ela's father was not surnamed *de Evereux*, nor was it until after her father's death that she was bestowed with her earldom upon William Longespee. (See Memoir on the Earldom of Salisbury, in Proceedings of Archæological Institute at Salisbury, 1849.)

<sup>2</sup> Roll of Henry III. edit. Nicolas, p. 9.

to places as serious as those regarding persons which have preceded. The King is made to die at Swinstead abbey in Lincolnshire, poisoned by a monk of that place.<sup>1</sup> There is a Swinstead in that county, near Corby, but the monastery which was really meant by the chroniclers was Swineshead, between Wisbeach and Sleaford. King John actually passed the night of the 13th Oct. 1216 in that monastery;<sup>2</sup> but his death occurred five days later in the town of Newark.

(To be continued.)

## THE FULLERS OF HEATHFIELD AND CATSFIELD, CO. SUSSEX.

BY THOMAS WHARTON JONES, F.R.S.

The pedigree of the Fullers of Heathfield and Catsfield, as given in Berry's *Sussex Genealogies*, and in Burke's *History of the Landed Gentry*, is in some important particulars erroneous.

The following genealogical table has been compiled from the entry of the family in the College of Arms; from the will of Thomas Fuller, of Catsfield, who died in 1692; from that of his son Thomas, who died in 1720; from Sir William Burrell's MS. Collections for Sussex, in the British Museum; from the will of the Rev. Peter Elliston, of Sandhurst, co. Kent, who died in 1660; and from the third and most recent entry of the Elliston family in the College of Arms, which was reproduced in vol. v. of *The Herald and Genealogist*.

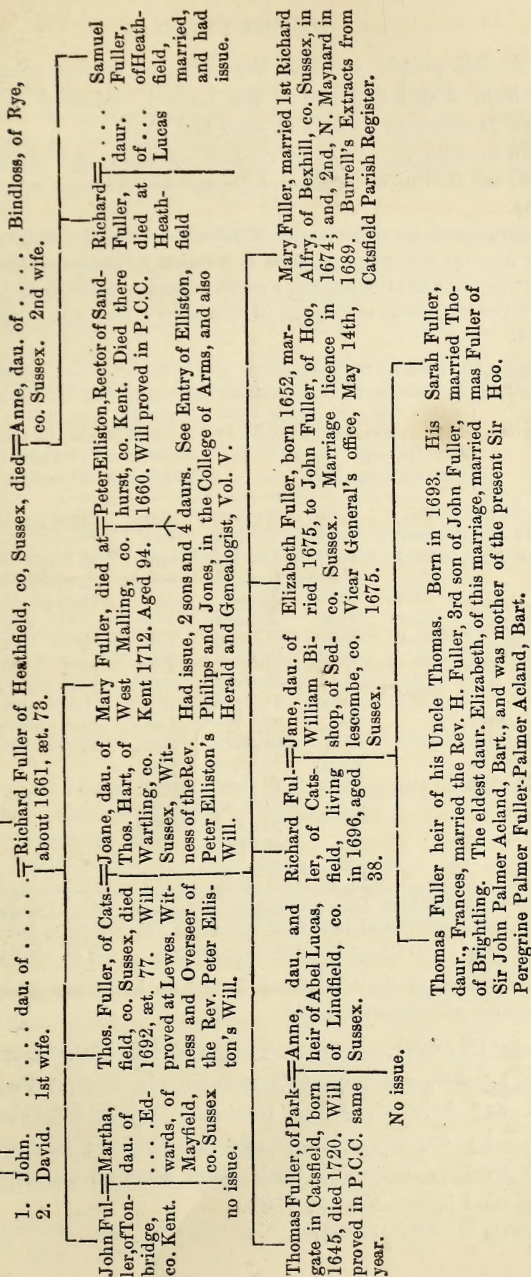
<sup>1</sup> The King's assumed poisoning is a matter that was enacted at length in Bishop Bale's play of *King Johan*. The cup is there brought to the King by a character named *Dissimulation*, who assumes the guise of the monk of Swineshead:

“Simon of Swynsett my very name is per dee.  
I am taken of men for *Monastycall Devocyon*,  
And here have I brought you a marvelouse good pocyon,  
For I harde ye saye that ye were very drye.”

The error of “Swinstead” was derived from *The Troublesome Raigne*, where it is paraded prominently in the title-page. In various modern editions of Shakespeare the name has been amended to Swineshead.

<sup>2</sup> *Itinerarium R. Johannis*, by the present Sir Thomas D. Hardy, in the *Archæologia*, vol. xxii.

## ROBERT FULLER, of Heathfield, co. Sussex.



DUCKETTIANA.

The Norfolk people to which the following notices relate may have sprung from a cadet of one of the houses contained in Sir George Duckett's *Duchetiana* noticed in your last Part.

EDWARD DUCKETT, son of Edward Duckett, was buried at North Elmham, March 2nd, 1583; and OWYNE, son of Edward Duckett and Marie his wife, was christened there 1584.

WINIFRED, one of the daughters of William Yelverton, of Rougham, esq. 1532-1566, by Ann his first wife, daughter of Sir Henry Fermour of East Basham, was wife of OWEN DUCKET of Worthing, a parish adjoining to Elmham.

OWEN DUCKETT, clerk, was Rector of Kimberley 1588, and of Carlton Forehoe 1597-1611.

Margaret, dau. of .... 1st wife.	Nathaniel Duckett, Clerk, of = Huntingfield, Suffolk, after- wards Vicar of North Elm- ham (presented in 1631 by Sir Edward Coke.) Will dated 7 Aug. 1659.		Lydia, dau. and coheir of .... Furnis; 2nd wife; mar. at Be- laugh 12 Aug. 1641; living 29 June, 1676, then of Huntingfield, widow; ob. 21 June, 1683, aged 68; bur. at Tittleshall.			
Theophila, bur. at North Elm- ham 16 Sept 1636.	Ro- bert, bapt. at North Elm- ham 18 Oct. 1642.	John, bapt. at North Elm- ham 8 Jan. 1644; dead before 29 Oct. 1681.	Nathaniel = Duckett, Clerk; bapt. at North Elmham 1 June, 1648; Rector of Tittleshall and Wel- lingham, 1679; ob. 29 Oct. 1721, aged 73 s.p.; bur. at Tittles- hall.	Rose, dau. and coheir of Wil- liam Tho- rold of E. Lex- ham, gent.; mar. before 1689.	Peter Duckett, = Clerk; bapt. at North Elm- ham 24 May, 1650; living 1681; then of North Elm- ham. 1695 Rector of Huntingfield; dead before 27 Oct. 1709.	Mary, dau. and coheir of Philip Cary of Hunt- ing- field, gent.
Elizabeth, bpt. there 17 June, 1635; buried there 15 Mar. 1657.						
Anne, bapt. there 10 May, 1638; dead be- fore 29 Oct. 1677.						
Mary Duckett, dau. and coheir; a legatee under the will of Lewkenor Lestrange, 15 Aug 1719; living 15 June, 1721, single.			Ann Duckett, dau. and coheir; living 15 June, 1721, single.			

The incumbencies of North Elmham, Tittleshall, and Huntingfield, all betoken some connection with the Coke family.

TINKLER DUCKETT, party to a deed dated 10th October, 1773, is described as lately residing at Constantinople, then at Venice; he was only son and heir of Henry Duckett, late of Spixworth, gent, deceased, who was son and heir of John Duckett, late of Mattishall, worsted weaver, deceased. This John Duckett was living 19 Oct. 1708, but died before Nov. 7, 1709.

G. A. C.

**SHROPSHIRE ARMS AND LINEAGES:** compiled from the Heralds' Visitations and Ancient MSS. By the Rev. FRED. W. KITTERMMASTER, M.A. Hon. Chaplain of the Shropshire Artillery Volunteers, and sometime Vicar of Edgton. London: William Mackintosh, Paternoster Row. Shrewsbury: J. O. Sandford, High Street. MDCCCLXIX. 12mo. pp. viii. 74, xxxv.

We much regret that we cannot speak of this work with entire approbation. Its design is good, and considerable pains and industry are displayed in its compilation; but the author makes a great mistake in affecting to state his authorities, whilst it is usually in such vague terms as *Her. Vis.* and *Harl. MS.* To give a fair example of his plan we take the five consecutive articles which occupy his 58th page:

**Roberts.**—Or, a fess wavy betw. three bucks trippant sa.

Confirmed as the arms of Roberts. *Harl. MS.*

**Roche.**—Or, three chess rooks and a chief embattled sa. Crest: On a rock ppr. a martlet or.

Granted by William Camden, Clar., to Richard Roche, of Shrewsbury. Confirmed to his son, Richard Roche of the Abbey Foregate, Sheriff of Montgomeryshire, who was 3rd in descent from John Roche of Shrewsbury. *Her. Vis.*

Pr. Rep.: John Roche, Esq. of Clungunford.

**Rogers.**—Or, a fess wavy betw. three bucks trippant sa. Crest: On a mount vert, a buck trippant sa., attired arg., ducally gorged, ringed, and lined of the last.

Granted, 1578, by Robert Cooke, Clar., to Richard Rogers, of Little Ness. *Qu. Coll. MS.*

**Rone.**—Arg., three roebucks ppr., attired or. Crest: A buck's head erased ppr., attired or.

Confirmed to Jerome Rone, of Longford, grandson of Humfrey Rone. *Her. Vis.*

**Rowley.**—Arg., on a bend betw. two Cornish choughs sa. three escallops of the first. Crest: An estoile of eight points pierced.

Confirmed to Francis Rowley, of Wyken, grandson of William, of the same place.

Also the lineage of William Rowley of Rowley, 3rd from George Rowley, of the same place, son of Robert Rowley, of Worsfield. *Her. Vis. Harl. MS.*

The second of these articles may be said to be complete,—except that the date of Camden's grant might have been inserted<sup>1</sup>, and the date also of the Heralds' Visitation which is cited. But the first article is worthless, for the name of Roberts, without further description, goes for nothing, unless it might be with those charlatans who are satisfied with "finding" arms by "name and county."

In the third article we discover that the arms just before attributed to Roberts really belong to Rogers of Little Ness: in which state-

<sup>1</sup> We do not, however, find such a grant in the catalogue of Camden's Gifts printed in Sylv. Morgan's *Sphere of Gentry*.

ment the Queen's College MS. cited by Mr. K. is confirmed by Harl. MS. 1069, and Addit. MS. 14,295, whilst in the Harl. MS. 1396 there is a tricking of them with the same name written over an erasure of "Roberts." Can Mr. Kittermaster have been misled by this? If not, in what other Harl. MS. did he find it stated that they were "confirmed as the arms of Roberts"? He would have added much to the value of his work by citing particular, not general, authorities.

The like remark may be made with respect to dates; for the two next articles, it will be observed, and many others throughout, are deficient of any date or clue thereto.

This inequality of execution is everywhere apparent: we might, in the same way, point to the consecutive articles of Syton and Talbot in p. 64, for, whilst the latter is full, as might be expected, the former is without date or locality.

The book is divided into two alphabets, the first of 74 pages, and the second an appendix of xxxv. This plan is evidently inconvenient, and we cannot thoroughly approve the motive from which it seems to have originated. We read in the Preface—

In order to make the book one of reference, a circular was issued, not only to the representatives of old families, but very generally to the gentry and professional men in Shrewsbury and in the County. Those who kindly gave the information required are inserted in the Appendix. The information has not been compared with any heraldic record, but accepted solely on the authority of the persons furnishing it. It may be remarked, however, that in modern descents tracing from ancient sources there is often much that is conjectural, but nothing ought to be received as of undoubted authority unless supported by documentary evidence.

Now, this last remark, though very just in itself, occurs somewhat unhandsomely as a sequel to the Author's acknowledgments to his obliging correspondents, at the same time that it unfairly affects to discharge from his own shoulders that responsibility which no author should be afraid to sustain. We say this more decidedly, because much of the Appendix, after all, appears to be compiled, not merely from private communications, but from such previous works as Burke's *Landed Gentry* and Walford's *County Families*. It is a popular and useful feature of Mr. K.'s book, and one for which he need not apologise, neither do we see any reason for consigning its materials to *Apocrypha*.

But our present business will be rather with the earlier portion: and we must be more critical as to the Arms.

Throughout the book the author uses the term "confirmed" as

meaning that a coat of arms is shown or recognized by *Her. Vis.*, but that is not the sense in which the confirmation of a coat is technically understood. For a Confirmation is the formal document by which a coat is approved by the Heralds,—though very often indeed it was the veil of an original Grant. The usual term for the authority of the Visitations upon which Mr. Kittermaster relies, is “*allowed.*” Thus, in p. 37, after Mr. Kittermaster has described the coat granted to Francis Jones alderman of London by Camden Clarenceux in Nov. 1610, (Sylv. Morgan’s *Sphere of Gentry*, lib. ii. p. 110), he should have added that it was allowed (not “confirmed”) to the same Sir Francis Jones in the Visitation of 1623.

Whilst citing the Visitations Mr. Kittermaster should have mentioned which. In his Preface he relates that there were four of Shropshire—

In 1567 by Flower, Norroy.

In 1569 and 1584 by Cooke Clarenceux and Lee Portcullis.

In 1623 by Treswell Somerset and Vincent Rougecroix.

In 1663 by Dugdale Norroy and King Lancaster; but in his work he cites the third alone accompanied by its date, meaning (we conclude) the augmented copy of the Shropshire Visitation of 1623 which is in the School Library at Shrewsbury, for the use of which he acknowledges his obligations to Dr. Kennedy and Mr. Moss. Why did not Mr. Kittermaster describe this book more particularly? and why not also give the full titles of the works of “Blakeway” and “Shirley”? Blakeway’s *Sheriffs of Shropshire*<sup>1</sup> and Shirley’s *Noble and Gentle Men of England* may be as well known to genealogists as “Coke upon Littleton” and “Blackstone” are to lawyers: but we presume that Mr. Kittermaster addresses himself chiefly to readers who are not professed genealogists. In like manner, where an *Harl. MS.* is cited, its number is invariably omitted. This is illusory; and the author might almost as well have assumed at once that an inquirer can desire no other authority but “Kittermaster.”

As an instance how unfavourably this operates, let us take this entry—

**Iremonger.**—Sa. a chev. vair or and gu. between three boar’s heads arg. coupéd of the third.

Confirmed as the arms of Iremonger. *Harl. MS.*

<sup>1</sup> Blakeway’s *Sheriffs* are accompanied by their shields of arms. We are informed that the woodblocks were destroyed, together with many copies of that valuable work, which a commercial judgment supposed to have been printed in excess.

We find these arms tricked in the Harl. MS. 1241 as the bearing of a Shropshire family of the name (there were Iremongers at Rudge), but the circumstance of their being so attributed by some herald-painter cannot justify the statement that they were "*confirmed*" as the arms of Iremonger." Is that, however, the volume Mr. K. alludes to? in the absence of more precise reference it is and may be impossible to verify or refute Mr. K.'s statements; but this is anything but satisfactory, or likely to establish the credit of his work.

Mr. Kittermaster cites no earlier authority for Arms than the Visitations. Some of course are to be found on monuments, and many on seals, but they have to be gathered and collected. He might, however, have availed himself of the county list which occurs in the Roll of the reign of Edward II. It presents seventeen coats, for twelve families, which we will here arrange in alphabetical order.

### **Shropshire.**

Sire Johan de Arderne de goules crusule de or, od le chef de or.

Sire William le Botyler de goules crusule de or, a une fesse chekere de argent e de sable.

Sire Rauf le Botyler de goules a une fesse chekere de or e de sable, en le chef ij moles de or.

Sire William le Botiler de Wemme de azure a une bende e vj coupes de or.

Sire William de Cauntelo de goullys a iij floures dor, . . . bende dargent.

Sire Johan de Chedewynde d'azure a un chevron. . . dor.

Sire Hugu de Croft quartile de argent e de azure endente, en lun quarter de azure un lion passaunt de or.

Sire Richard de Dockesseye de argent a un lion de azure, e un bastón goboune de or e de goules.

Sire Richard de Harlee de or a une bende e ij cotyes de sable.

Sire Walter Hakelut de goules a iij haches daneyz de or e une daunce de argent.

Sire Edmon Hakelut de argent a une bende de goules, e iij moles de or, e ij coties daunces de goules.

Sire Richard Hakelut de argent a une bende e ij cotyes de goules, en la bende iij floures de or.

Sire Hugu de Kynrdeslee de azure crusule de argent, e un lion de argent.

Sire Walter de Kyngeshemed barre de or e de azure a une bende de argent e iij escalops de goules.

Sire Thomas de Lodelawe de azure a iij lupars passaunz de argent.

Sire Miles Pichard de goules a iij escalops de argent e une fesse de or.

Sire Johan Pichard meisme les armes a un label de azure.

Of these twelve Shropshire names Mr. Kittermaster has mentioned only four,—Butler, Harley, Kynardesley, and Ludlow.

For BUTLER he gives

Gu. a fess chequy arg. and sa. betw. six crosses formée fitchée of the second. Arms of Butler, Baron Wenne [*lege* of Wem]. *Harl. MS.*

This, it will be seen, corresponds with the first coat of Butler above blasoned, and it is confirmed by the Roll temp. Edw. III. where we read—

Monsire Botiller de Wem port gules, une fes chequere d'argent et sable, croisele d'argent.

And earlier still by the Roll temp. Hen. III.—

Rauf le Botellier de goules a ung fesse escheque d'argent et de sable et croisselets d'or.

William Butler, therefore, temp. Edw. II. who adopted the differing coat of cups, alluding to the meaning of his surname, was doubtless a cadet of the house of Wem, but not its head.

CAUNTELO differences from the original coat of Cantilupe, which appears in the Roll of Henry III. for

William de Cantelowe de gules a trois fleurs de lices d'or.

The description of the coat of CHETWYND is completed by the Roll of Edward III.

Monsire de Chatwind d'azure a une chevron d'or, entre trois mollets d'or.

The three coats of HAKLUYT are remarkable, particularly the first, with its "Danish hacks" or battle-axes canting on the name. That of Sir Richard occurs also in the Roll of the Stepney tournament,<sup>1</sup> 2 Edw. II.; and in the Roll of Edward III. we have evidently another of the family under the guise of "Hakeliffe:"

Monsire Hakeliffe port d'argent, une fes gules, a une daunce de gules en le cheif.

In the roll of Richard II. (edit. Willement) a Sir Leonard Hake-lyut occurs twice (Nos. 393, 578) with these arms: Arg. on a bend cotised gules three mullets or pierced azure.

For LUDLOW Mr. Kittermaster presents a different coat, Arg. a lion rampant sable, vulned all over gules.

In the Roll of Edward III. the same coat of PICHARD occurs, thus otherwise blasoned:

Monsire Pychard port gules a une fes d'or entre trois cokils d'argent.

It must not, however, be concluded that these seventeen knights were all who bore arms in Shropshire in the reign of Edward II. They are probably those only who came to some particular musters of that era. Mr. Eyton's History of the county, carefully examined, would furnish a much larger contingent. Even Mr. Shirley's review of the ancient *Noble and Gentle Men of England* (anterior to 1500, and still represented in the male line,) presents a longer list, viz. as

<sup>1</sup> Collectanea Topog. et Geneal. iv. 69, but the name misprinted Hachit, and the cotises sa.

*Knightly families.* Corbet, of Moreton Corbet; Leighton, of Loton; Sandford, of Sandford; Kynaston, of Hardwicke; Cornwall, of Delbury; Lingen (now Burton), of Longnor; Harley, of Down-Rossal; and Tyrwhitt, of Stanley-hall (this last a migration from Lincolnshire).

*Gentle families.* Gatacre, of Gatacre; Eyton, of Eyton; Plowden, of Plowden; Acton, of Aldenham; Whitmore, of Apley; Walcot, of Bitterley; Baldwin (now Childe), of Kinlet; Dod, of Cloverly; Oakeley, of Oakeley; Hill, of Hawkstone (now Viscount Hill); Forester, of Willey; Edwardes, of Harnage Grange and Shrewsbury; Betton (now Bright), of Totterton-hall; Clive (now Herbert, Earl Powis), of Styche; Lawley (now Lord Wenlock), of Spoonhill; Pigott, of Edgmond; Thornes, of Llwyntidman-hall; Harries, of Cruckton; Salwey, of Moor Park; and Borough, of Chetwynd.

No county in England can boast to be more thickly sprinkled with ancient families than "proud Salopia," and of those described by Mr. Shirley, all the *Knightly* but the last, and all the *Gentle* down to Clive, were already seated in Shropshire anterior to Edward II.

One of the greatest and most antient of Salopian names is thus introduced by Mr. Kittermaster:

Az. a lion ramp. within a border or. The arms of Roger de Montgomery. *Her. Vis.*

He has thought it unnecessary to say that he means Roger Earl of Shrewsbury: but, as Earl Roger died in 1094, his arms are really of posthumous attribution only, and this should be stated. Fitz-Alan, an equally important name of early times, is altogether omitted.

We have only to add a few miscellaneous remarks—

BASKERVILLE.—Arg. a chev. gu. betw. three torteaux, are stated to have been the arms of "Humphrey Baskerville alderman of London, whose daughter Sara m. Thomas Owen, of Shrewsbury." Humphrey



Baskerville, mercer, who was sheriff of London in 1561, but, dying before he attained the mayoralty, was buried in the Mercers' chapel in 1563, bore Argent, on a chevron gules between three *hurts* a crescent or. (List by Wm. Smith Rouge dragon.) He was more probably a Herefordshire man than a Salopian,

and is introduced only from his daughter's marriage.

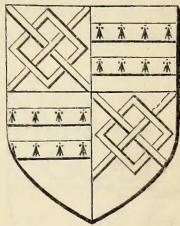
BERINGTON.—The mention under this name of a marriage of Roger Berington with "Alice daughter of John Ireland, son of Sir Walter Fitzroy of Ireland, who was son of Edw. I. by a daug. of the Earl of Kildare," though stated from *Her. Vis.* 1623, must we presume be

classed among the "conjectural" passages of Mr. Kittermaster's book, for we do not recollect any documentary evidence of King Edward I. having had any such son, nor is "Sir Walter Fitzroy" recognised by Sandford in his *Genealogical History of the Kings of England*.

BROWNE, of Morse, should be Morfe, or Morf.

EGERTON, Baron of Ellesmere (*not* Ellesmore)—the lion should be gules.

The arms of EYTON, of Eyton, are blazoned,—Quarterly, first and fourth or, a fret azure, second and third gules, two bars ermine. We feel disposed to regard this as a single coat, resembling Despenser, and others; but it has been regarded as composed of two coats quartered, and the second quarter as derived from Pantulph, Baron of Wem, who was lord of Eyton at the time of the Domesday survey. The Pantulphs, however, became extinct in the reign of Henry III. and perhaps there is no positive evidence of their having assumed arms.



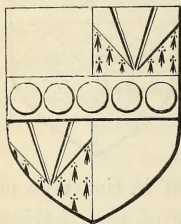
We are aware that in this case Mr. Kittermaster's statement is supported by very potent authorities. Blakeway says that the Eytons "are supposed from their arms to be a younger branch, or at least early vassals of Pantulf, Baron of Wem." (Sheriffs of Shropshire, p. 57.) Warin, the Domesday tenant of Eton (Eyton on the Wealdmoors) was the chief feoffee in Shropshire of William Pantulf, Baron of Wem: and the Rev. R. W. Eyton the historian of Shropshire (viii. 27) shows that there is no room to doubt that Robert de Eyton (t. H. II.) was Warin's direct descendant and heir. He adds,

Again, it is probable that Warin was himself a cadet of the house of Pantulf, for the descendants of Robert de Eyton have uniformly quartered the arms of Pantulf. It has been suggested that the quartering of the arms of a Suzerain might have been merely in token of feudal dependence. The alternate theory seems to be that, when a Vassal is found bearing the arms of his Suzerain as a quarter, and without any difference, he was his Suzerain's relation by blood as well as tenure.

Upon this we would take the great liberty to remark,—which we should scarcely do if the question were one of genealogy only, in which respect no judgment can well outweigh that of Mr. Eyton, that the arms of Eyton occur (as we presume) long before the practice of *quartering* commenced; and 2, that the Pantulf family was apparently extinct before the era of the general assumption of armorial bearings. We would ask, is there any seal or other testimony to the supposed arms of Pantulf?

FRERE.—Humphrey Frere of Charlton is stated to have been “4th in descent from Jeffrey Frere, from co. Worcester,” but in the pedigree of this family printed in our vol. v. p. 429, it will be seen that he was Jeffrey’s grandson, as attested by Addit. MS. 14,314, Harl. 1241 and 1396.

No record has been found of GATACRE having borne arms at an early period, although the family were of the highest antiquity, deriving their name from their manorial estate, which they are said to have held before the Conquest. Mr. Kittermaster describes their arms



as Quarterly gules and ermine, on the second and third quarters three piles of the first, on a fess azure three bezants; but he has neglected to avail himself of Mr. Shirley’s observation, that this coat, a remarkable contrast to the simple heraldry of earlier times, is supposed to have been granted to Humphrey Gatacre, esquire of the body to King Henry the Sixth. It is said that at the end of the six-

teenth century there was in the church of Claverley the following coat attributed to this family: Quarterly, first and fourth ermine, a chief indented gules, second and third gules, over all a fess azure three bezants (Eyton’s *Shropshire*, iii. 103); and if this (as we suspect) was in glass and *reversed*, it comes to the same as the coat before blazoned, the three piles being mistaken for a chief indented.

PITT of Curewyard. Kyre-Wyrd is in the county of Worcester, and the family intended is named Pytts.

TRUMWYN, surely a saltire, not a cross, engrailed.

WYRRALL.—These arms, Gu. a chev. betw. three crosses crosslet arg., in chief a lion passant of the second, are said to have been “confirmed to Sir Hugh Wyrall, 4th in descent from John Wyrall, of Gresbrook. *Her. Vis.*” They are the arms of Wyrall of Bicknor, co. *Glouc.* They are, however, erroneously attributed to Wyrall of Loversal and Gresbrook, co. *York*,<sup>1</sup> in Addit. MS. 14,314, fo. 13. Sir Hugh Wyrall was the son of Gervase Wyrall who in 29th Hen. VIII. had a grant of arms from Barker,—Argent, two lions passant guardant sa. on a chief gules three covered cups or. Crest, a lion’s jamb erased sable holding a covered cup or. (Addit. MS. 14,295.)

<sup>1</sup> Gresbrook, *hodie* Greasbrough, is in the county of York near Rotherham. In Wainwright’s *History of Strafford and Tickhill*, pp. 131, 132, is some account of Wyrall of Loversal; but he doubts the existence of Gervase, and must have been unaware of the grant of arms.

Gervase Wyrall married "dau. of Cotes, a y<sup>r</sup> sonne to the house of Woodcote, co. Salop" (Harl. MS. 1487): hence perhaps his coat being included in Mr. K.'s *Shropshire Arms* from Harl. MS. 1241 and Addit. MS. 14,314, in both which books the Bicknor arms are given.

In conclusion, we may observe that this little manual is neatly printed, but the printer has carried throughout two errors of ignorance: one that of placing a point after the tincture *or* as if it was an abbreviation, and the other that of placing no point after *Harl MS.* as if *Harl.* was not an abbreviation.

Mr. Kittermaster has previously published a corresponding volume of *Warwickshire Arms and Lineages*, which had escaped our notice, and which we must now defer for the subject of another review.

## MACLEAN'S HISTORY OF BODMIN.

Parochial and Family History of the Deanery of Trigg Minor, in the County of Cornwall. Part II. History of Bodmin. By JOHN MACLEAN, Esq. F.S.A. Member of the Royal Archæological Institute of Great Britain and Ireland, etc. London: Nichols and Sons, 25, Parliament Street. 1870. 4to.

The opinion which we gave of Mr. Maclean's qualities as a Topographer on the appearance of the First Part of his History of Cornwall,<sup>1</sup> is fully confirmed by the present more important portion. He is painstaking and persevering in his investigations, comprehensive in the various branches of his subject, and clear and methodical in their arrangement.

In the parish of Bodmin he has to treat of one of the principal places in the county. It is an old borough town, and early in the last century acquired a share in the county assizes, which had previously been held entirely at the remote town of Launceston, because of the vicinity of the latter to the ducal castle of Lostwithiel. Bodmin also has an interesting and very ancient ecclesiastical history; of which Leland gives the following summary, "The late priory of Blake Canons stode at the este end of the parochie chirchyard of Bodmyne. S. Petrocus was patrone of this, and sometyme dwellyd there. There hath bene monkes, then nunnys, then seculare prestes; then monkes agayne, and last canons regulars in S. Petrok's chirch." There was

<sup>1</sup> Parochial and Family History of the Parish of Blisland: in our vol. v. p. 273.

besides in Bodmin a house of Franciscan friars, whose obituary commemorates the Peverells, the Sergeaux, the Carminews, and others of the ancient aristocracy of the neighbourhood. The town of Bodmin considerably increased during the thirty years from 1811 to 1841, in consequence of a trade in shoemaking, which has now decayed; and at present it contains about 5,000 inhabitants.

At the dissolution, the site of the Priory was granted, in 1545, for the sum of 100*l.* to Thomas Sternhold, whose name is still remembered as one of the versifiers of the Psalms.<sup>1</sup> He was a Hampshire man, and by his will made Aug. 21, 1548, two days before his death, he bequeathed his property to his wife Agnes for life, with remainder to his two daughters Philippa and Judith, then in their minority. Philippa was afterwards married to William Tydderley of Knoyle in the county of Wilts, and Judith to Nicholas Pescodd of Eastmeon in Hampshire, who, being possessed in fee in right of their wives, sold Bodmin priory in 1567 to John Rassheley, of Fowey, merchant.

Leland describes the parish church of Bodmin as "a faire large thyng." It had been rebuilt during the reign of Edward IV., in the years 1469–1472.<sup>2</sup> The cieling is richly decorated after the practice of that day, with ribs and sculptured bosses, of foliage, knots, birds, grotesque masks, and various heraldic shields, some of which record the alliances of the old families of the town.

On the fifth rib westward from the chancel-arch,—on the centre boss is the shield of Lucombe, a saltire between four mullets (usually estoiles); on the two southwards Lucombe impales Sergeaux (a saltire between twelve cherries) and Heligan (on a bend three stag's heads cabossed); on the two northward Lucombe impales Calmady (a chevron between three pears) and Prideaux (a chevron and a label of three points.)

On the seventh rib occur the arms of Gurlyn (on a bend cotised three fleurs de lis) in various stages of completeness. Two only are properly finished; and another, though completed, displays the arms, through the ignorance of the workman, inverted. Two others, though

<sup>1</sup> Sternhold was a Groom of the Robes both to Henry VIII. and to Edward VI. and was a favourite servant of both Kings. The former left him 100*l.* in his will. King Edward took pleasure sometimes to hear the Psalms sung by their versifier, as Sternhold himself states with correspondent glee in his Dedication of 1549. See the *Censura Literaria*, x. 10, and the *Biographical Memoir of King Edward VI.* by J. G. Nichols, (Roxburghe Club,) p. lvi.

<sup>2</sup> The accounts are extant: and are now passing through the press for the Camden Society, edited by the Rev. J. J. Williamson, M.A. Rector of Lanteglos by Camelford.

partly formed, remain in block. Henry Gurlyn was Vicar during the rebuilding, but died a little more than a year before the work was completed, which may possibly account for the unfinished state of his armorial insignia.

In the north chancel-aisle are four more armorial bosses :

1. A chevron between three (laurel?) leaves impaling Lucombe. This coat may have been intended for Trelawney, though the leaves are not of oak and are inverted; but it is also suggested, Are they the arms of Treleven? for which name no arms are on record.

2. Lucombe, impaling three heads couped (but whether of birds or beasts is uncertain) between two cotises.

3. Three keys between cotises, impaling Lucombe.

4. Prideaux impaling Lucombe.

In the arms of Lucombe estoiles and mullets are freely intermixed; and the rudeness of the sculpture is altogether characteristic of the workmanship usually found in such positions, at the same time that it affords a characteristic example how far armory entered into architectural decoration during the Perpendicular period.

The Royal Arms now in Bodmin church are those of William III.: and their cost has been preserved, as paid by the Mayor in 1695:

*The Charges of y<sup>e</sup> King's Armes.*

P <sup>d</sup> Mr W <sup>m</sup> Hodge for deales, &c. . . . .	2	6	9
P <sup>d</sup> Tho. Beard for 6 dealds . . . . .	0	15	0
P <sup>d</sup> Tho. Beard for his labour . . . . .	2	0	0
P <sup>d</sup> for 14 bookes of gold and other materials . . . . .	3	0	7
P <sup>d</sup> Walter Ilford for drawing the armes and sentences . . . . .	8	0	0

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£16 2 4

The Royal Arms in churches are frequently objects of curiosity, and we should be very glad to receive from our friends any memoranda regarding them.

Bodmin church contains also the monument of Thomas Vivian, Prior of Bodmin, and for fifteen years or more a suffragan bishop by the title of Megarensis. He died in 1533, and was buried before the high altar of the priory church, "in a highe tombe of a very darkesche gray marble," as noticed by Leland. Of this tomb the following is a fuller description:—

This monument is an altar-tomb about 7 feet long and 3 feet high, made of a dark grey stone from the Catacluse quarries in St. Merrin, near Padstow. It supports a recumbent effigy of the deceased, habited, having his mitre on his head and embracing

his pastoral staff, his hands being placed together in an attitude of prayer. The four corners were decorated with figures of angels supporting the effigy and holding shields charged with the arms of Vivian [Or, on a chevron azure three annulets of the field between three lion's heads erased proper, on a chief gules three martlets argent] and of the priory [Three fish in pale naiant, probably salmon, in allusion to the fishery in the Alan for centuries possessed by the priory]; but the figures have been much mutilated. The sides of the tomb are each divided into three panels. In the centre ones are escucheons borne by angels, and displaying the arms of the prior and priory respectively. The other four contain figures of the Evangelists, accompanied by their distinctive emblems.

On the panel at the head are sculptured the arms of King Henry VIII. France and England quarterly, surmounted by a crown and supported by a greyhound and a griffin—the Tudor badges (portcullis and rose) being also introduced. On the corresponding panel, at the foot, is represented an angel holding a shield charged with a cross-flory crowned, resting on an orb, which are said to be the arms of King Edgar.

A brass plate fixed on the tomb records that it was “repaired in 1819 by Sir Vyell Vyvyan, Bart. the Legal Representative of the Prior.” Sir Vyell, who was father of the present Sir Richard Rawlinson Vyvyan, of Trelowarren, thus earned the thanks of antiquaries; but his claim to be the representative of the Prior was imaginary, as we gather from the following remarks, which are evidently the result of mature consideration:—

The pedigree of the family of Vivian of Bodmin, recorded at the Heralds' Visitation in 1620, commences with the prior and his brother John Vivian of Bodmin. Unfortunately the name of their father was not stated. Mr. Vyvyan Jago has conjectured [Lysons Corr. Addl. MS. 9418. 95] that this person was Robert Vivian, a second son of Richard Vivian of Trelowarren by Florence daughter and co-heir of Richard Arundell of Trerise; and upon this conjecture Lysons and others have relied in the supposititious accounts given of this family. Mr. Jago, however, adduces no proof whatever for his theory, which is inconsistent with established facts.

Thomas Vivian, prior of Bodmin, had a confirmation of his arms in 10 Hen. VIII.

[Grants, Heralds' College] which arms differ very widely from those of the Vyvyans of Trelowarren. [The arms of Vyvyan of Trelowarren are: Ar. a lion ramp. gu. armed sa.] It is probable there was some connection between the Vivians of Bodmin and William Vyvyan of Trehunsey in Quethiock, one of the parties to the conveyance of the site of the Friary to the mayor and burgesses of Bodmin [Ante sub Grey Friars].



We have, however, failed to obtain any information which would enable us to establish this connection; and indeed as to the descent of the Vivians of Bodmin we have not been more successful. The prior's brother John had two sons: Edward the younger died without issue male; and of the descendants, if any, of his brother John we have no record.

There seems to have been a close connection between the Vivians of Bodmin and a family of Vivian of St. Columb, of which John Vivian of that place recorded a pedigree at the Heralds' Visitation of 1620, extending back to his grandfather, John Vivian, who married Olive daughter and heir of ..... Tresaster, and was the father of Thomas, who, by Ann daughter and heir of Peter Lower of Truro, was the father of the said John, who married Margaret daughter and heir of William Cavel of St. Kew. No arms were recorded for this family at the Visitation, but in 1637 the said John Vivian received a grant based upon the arms confirmed to the prior of Bodmin, the only difference being that the annulets upon the chevron and the martlets upon the chief were omitted. [Grants, Heralds' College, 1637.] At the same time he was allowed to quarter the arms of his grandmother (Tresaster) *and those of his wife*. The most singular fact, however, is that these quarterings are, upon the Visitation record, allowed to the Vivians of Bodmin, even including the arms of Cavell,<sup>1</sup> the wife of John Vivian of St. Columb, who was then living. This is manifestly incorrect.

Mr. Vivian Jago has also attempted to connect the Vivians of St. Columb with the Trelowarren family, by supposing that John Vivian, the recorded progenitor of the former family, was the son of a John Vivian of Trenouth (which is not improbable), and that the latter was the son of Thomas a younger son of John Vivian of Trelowarren by Elizabeth daughter and coheir of Thomas Tredurfe. He, however, furnishes no satisfactory evidence, his conjecture being based upon the *probability* that Trenouth was a part of the Tredurfe estate. Of this family Sir Richard Vyvyan of Trelowarren is the legal representative by the marriage of his ancestor, Sir Richard Vyvyan, with Mary the daughter and heiress of Francis Vivian of Cosworth, Esq.

There are many other interesting sepulchral memorials in Bodmin church; and the west window has been filled with painted glass in memory of the late Rev. JOHN WALLIS, M.A. "the zealous and faithful Vicar of this parish during 49 years," and official of the Archdeacon of Cornwall, author of various publications on local statistics and archæology. He died Dec. 6, 1866, aged 77. His father was a very successful lawyer in Bodmin, and deputy recorder, and an account of the family is given by Mr. Maclean in p. 322.

In the same page (we may further remark) some notices are collected of the family of GATTY, a name which occurs so early as 1470, among the contributors to the fund then collected for rebuilding Bodmin church. Property in the town still belongs to the family. But

<sup>1</sup> Of this family Humphrey Cavell was a Burgess for Bodmin in the parliament of 2 and 3 Philip and Mary.

it has attained greater prominence in other counties. William and Robert Gatty, sons of Joseph who was governor of the Debtors' prison in Bodmin, settled in London about 1780. William became an officer of the Court of Exchequer, and was father of George, a Taxing Master in Chancery, who was Sheriff of Sussex in 1861, being then owner of Felbridge Park, near East Grinstead. Robert, a solicitor in London, was father of the Rev. Alfred Gatty, D.D. Vicar of Ecclesfield and Subdean of York, the editor of the recent republication of Hunter's Hallamshire, and the husband of Mrs. Margaret Gatty, (daughter of the Rev. D. Scott, Lord Nelson's chaplain,) a much esteemed authoress for the young.

Of the reign of Charles I. we find a remarkable armorial display, now somewhat decayed, and originally it would seem left partially incomplete:—

Against the wall, and extending to the floor, are two slate slabs to the memory of Bernard Flamank and his first and second wives.

The lower stone is inscribed—

“ Here lyeth the Body of ELIZABETH wife vnto Bernard flamank of Boskerne Esq<sup>r</sup>, And daughter of Ambrose Rous of Edmerston in the County of Deuon Esq<sup>r</sup>, who was buried the 9<sup>th</sup> of October in the yere of our Lord God 1632.” Arms, A cross between four mullets pierced (*Flamank*); impaling, an eagle displayed (*Rouse*). On this slab is a large shield with crest, viz. On a wreath a fore arm erect habited, holding in the hand a sprig of oak fructed.

The border of the stone contains twenty-four small shields, charged as follows, commencing at the upper corner, and proceeding from left to right:—

1. Flamank, impaling a chevron between three saltiers (*Treglownow*).
2.     “     “     three garbs, a chief (*Peverell of Hamatethy?*).
3.     “     “     a bull passant, horned and tripped (*Beville*).
4.     “     “     on a bend three keys (— ?).
5.     “     “     on a bend three stag's heads cabossed (*Heligan?*).
6.     “     “     a chevron between three bolts, feathered (?).
7.     “     “     a chevron between in chief between two birds statant, and in base one rising or volant (*Trevinnard*).
8. Flamank, impaling: On a saltier between four estoiles a trefoil (*Lucombe*).
9.     “     “     a chevron between three wings displayed (*Nanfan*).

Proceeding down the sinister border—

10. Flamank, impaling Ermine. a fleur de lis, on a chief a mullet (*Gayer*).
11.     “     “     a bend and a label of three points (*Carminow*).
12.     “     “     per fess embattled, three lions statant or passant (*Lippincott*).

The remaining twelve shields represent Rouse with impalements, some blank, others defaced; on one of those in the lower row may still be discerned a bird in the sinister chief point. It does not appear to have been the only charge, but the others have perished.

The upper slab contains the words:—

“Neere vnto this Place lyeth the Body of Bernard flamank of Boscarne Esq<sup>r</sup>, who was twice married, first vnto Elizabeth the Daughter of Ambrose Rouse of Edmerstone in the Countie of Devon Esq<sup>r</sup>, next vnto Bridgiett, the daughter of Arthur Tremayne of Cullocombe in the Countie of Deuō afore sayd, Esq<sup>r</sup>, who was buried the seauen and twentieth day of October on thousand six hundred fiftie and eight.”

There are two large shields of arms surmounted by crests similar to that already described.

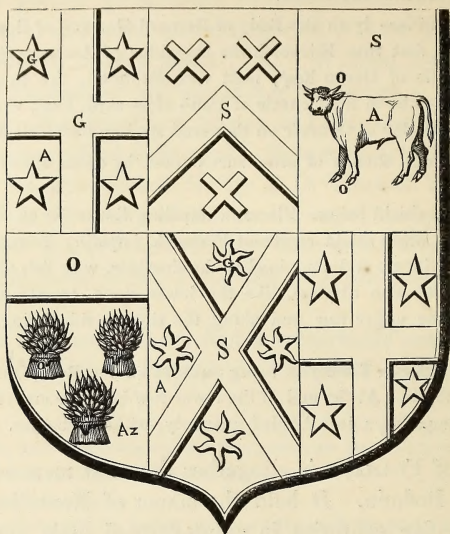
The arms on one shield being—Flamank impaling Rouse (as on the under stone), while those on the other shield represent Flamank impaling Tremayne, Three arms habited, flexed in triangle and conjoined at the shoulder, with fists clenched.

The border of this slab displays, like the lower stone, twenty-four small escutcheons, those in the upper row and along the sinister side being similar to those already described.

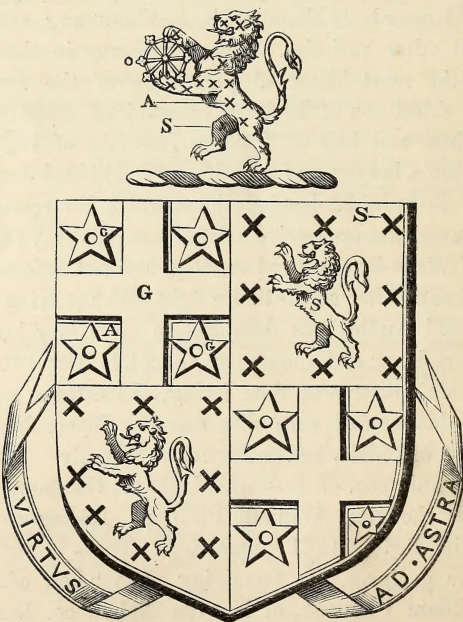
The remainder differ in Tremayne being substituted for Rouse and all its impalements being left blank. At the end of the lower row however one of the escutcheons gives, Flamank, impaling a coat divided quarterly, without charges.

The family of FLAMANK is altogether the most memorable of any in the history of Bodmin. It held the manor of Nantallan in Bodmin for more than five centuries in uninterrupted male succession, from father to son, until the death of the Rev. William Flamank, D.D. in 1817. The name is undoubtedly one of the derivatives of Fleming, occurring in old records as Flandrensis, le Flammang, and Flammock, —with several other varieties. About mid-way in the genealogical tree we find the most historical personage of the name—Thomas Flamank, the eldest son of Richard Flamank of Boscarne in Bodmin by Jane daughter and heir of Thomas Lucombe of Bodmin. He is said to have been a lawyer, and together with Michael Joseph, a blacksmith, also of Bodmin, he headed the Cornish insurrection of 1497, provoked by one of the oppressive subsidies of Henry VII. The rebels were joined at Wells by the Lord Audley, and not defeated until they reached Blackheath, after an obstinate fight with the King's supporters. The fate of Lord Audley was decapitation on Tower hill. Flamank and Joseph were hung at Tybourn, on the 24th June 1497.

As Flamank's father was then living, the estates were not lost. They went to his second son; who married Joyce, daughter of Sir Richard Nanfan of Calais, and continued the family. After the death of Robert Flamank, esq. of Boscarne in 1847, the name was assumed by his nephew the Rev. William Phillipps, Rector and Patron of Lanivet; but he died in 1861, unmarried. There is still, however, it appears by the pedigree, *one* remaining male “heir of line,” in the person of William Flamank, of Newton Abbot, co. Devon, born in



From Visitation of Cornwall, 1620 : 1 and 6 Flamank, 2 Treglownow, 3. Cavell,  
4 Peverell, 5 Lucombe.



Flamank and Phillipps quarterly.

1810, whose great-grandfather Samuel was the third son of William Flamank of Boscarne (ob. 1740).

In the Visitation of 1620 the coat of Flamank quarters Treglownow, Cavell, Peverel, and Lucombe. The second and fourth quarterings were derived together from the marriage of Sir Roger Flamank (circ. Edw. II.) with the daughter and heir of Peter Treglownow and Joan daughter and heir of Richard Peverel. The heiress of Lucomb we have named already. Why "Cavell" was introduced does not appear: it is, it will be observed, a different coat from the "Cavell" quartered by Vivian. The second engraving shows the arms quartered by the late Rev. W. Philipps Flamank. The field of Philipps is argent.

As stated in his title-page, and as was shown in our notice of the History of Blisland, Mr. Maclean makes "Family History" a leading feature of his work. There are many families of long-sustained local importance that are commemorated in the Part before us: and several of them have a more general interest.

A family of BODMAN took its name from the town, according to its old orthography: and the name is still extant in that form.

The family of MOYLE is found at Bodmin before the end of the 14th century. Michael Moyle went burgess to the parliament of 1409, and Thomas Moyle was frequently mayor a generation later. He was grandfather of Sir Walter Moyle, who became a justice of the common pleas, and whose posterity were for some generations of great distinction in Kent.

The family of COLLINS claims a large share of the historian's attention. The name first appears as Couling in the 13th century; for John Couling was one of the first burgesses that Bodmin sent to parliament, in the year 1294. Others of the name occur from time to time; and Thomas Colyns was the last Prior of Tywardreth, from 1507 to 1536. At the same period was living Edward Collins, who was instituted to the rectory of Illogan in 1533, and, being a married ecclesiastic, became the ancestor of a family which for many subsequent generations furnished ministers to that and other churches of Cornwall. John Collins, D.D. the fourth of the family that was Rector of Illogan, was a sufferer for his loyalty, and, being ejected from his living, during the Commonwealth practised physic at Falmouth. In his will, dated 1683, he bears testimony to his attachment to "ye Christian religion as established in the Church of England, which doth necessarily imply loyalty to the Crowne, for which I have been a Con-

fessor both in loss of my estate and imprisonment of my body." His monument in the church of Illogan represents him as kneeling with



his wife and two daughters after the fashion of former generations. He married Anne, daughter of Henry Bray of Treswithan, in Camborne, whose arms were, Argent, three oak-trees proper, fructed or.

In Mr. Maclean's pedigree of Collins we find the names of two former county-historians. Two brothers, the Rev. Edward Collins, Rector of Phillack and Gwithian, and John Collins, esq. of Treworgan, Sheriff of Cornwall in 1726, were (by their respective daughters) the great-grandfathers of Davies Gilbert and Richard Polwhele. The Rev. Edward Collins, Vicar of St. Erth, (the brother of Mary who married Thomas Polwhele,) was himself an antiquary, and assisted Dr. Borlase; and it is further remarkable that his wife was descended from Richard Carew, the Cornish historian of an earlier day. Altogether, the Collins family, in its various branches, has produced so many men successful in their respective professions, that instead of naming them all we must refer to Mr. Maclean's pages. Upon the arms we find the following remarks:—

According to Hals [*Hist. of Cornw.* i. 396] "John Collins of Treworgan giveth for his arms, Sable, a chevron gauté of blood argent between three Cornish choughs proper." This would seem to be correct, as it agrees, with the exception of the gauté of the chevron (which may have been assumed as a difference) with the arms recorded to the name in the Heralds' College. The birds now borne are understood to be doves. The error, for such it is believed to be, has probably arisen from the motto, "Volabo

ut requiescam," being understood to apply to the birds on the escutcheon instead of to the crest, which is a dove rising proper.

It will be remembered that Mr. Davies Gilbert (for three years President of the Royal Society) for many years represented Bodmin in parliament. He did so (after having first sat for two years for Helston) from the general election of 1806 until the reform of 1832. He was son of the Rev. Edward Giddy, Vicar of St. Erth, (by Catharine Davies,) son of John Giddy by Ann Collins; and assumed (in 1817) the name of Gilbert instead of Giddy, from having married the daughter and heiress of Thomas Gilbert, esq. of Eastbourne in Sussex. His zeal for the fame of his native county was shown in various remarkable ways:<sup>1</sup> and more especially by his constant support of its Geological Institution; by his efficient patronage of Sir Humphry Davy, Malachi Hitchens, and the Rev. John Hellins; by his publication of works in the ancient Cornish language; and by his edition of the topographers Hals and Tonkin, supplemented by his own remarks, in four vols. 8vo. 1838.

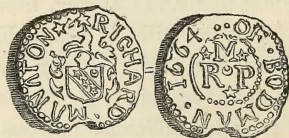
It is, however, from another branch<sup>2</sup> of the family of GILBERT that the men of Bodmin have chosen their modern hero. Mr. Maclean has connected the pedigrees of PENNINGTON and GILBERT. The former family furnished many mayors to Bodmin, some of whom are also memorable as bell-founders. The last of them died in 1789, leaving a sister Mary, wife of the Rev. Anthony Hosken, Vicar of Bodmin; whose daughter Nancy, heir to her maternal uncle, was married to Walter Raleigh Gilbert, esq. of the Priory, Bodmin, (grandson of John Gilbert of Compton Castle, co. Devon) a Gentleman of H. M. Bedchamber. He died in 1837, at the age of eighty-five, leaving the Priory to his nephew of his own names, the son of the Rev. Edmund Gilbert, Vicar of Constantine and Rector of Helland. That nephew was the late Sir Walter Raleigh Gilbert, G.C.B. a distinguished general in India, to whose honour a lofty obelisk was erected near the town of Bodmin by public subscription in 1857. Sir Walter was also created a Baronet; but, his only son dying unmarried in 1863, the dignity was soon extinct. His nephew, however, Lieut.-Colonel

<sup>1</sup> A full memoir of Mr. Davies Gilbert will be found in the *Gentleman's Magazine* for Feb. 1840; and, further extended, in *The Worthies of Sussex* by M. A. Lower. 1865. 4to.

<sup>2</sup> Mr. Davies Gilbert assured Mr. Lower (as stated in *Worthies of Sussex*, p. 213) that he believed the Gilberts of Eastbourne to be derived from those of Compton Castle in Devonshire: and that such claim was well-founded may be concluded from its being recognised by the Messrs. Lysons (*Devonshire*, p. cxlvi.).

Walter Raleigh Gilbert, R. Art. and the Colonel's son both carry on the name, and the former is now Chief Constable of Cornwall.

Among the farthing tokens struck for circulation in the seventeenth century by townsmen of Bodmin, there are two which bear shields of arms, that of THOMAS WILLS (whose widow Florence appears to have struck another token in 1663): Three lions passant guardant within a bordure engrailed; and that of RICHARD MANATON, 1664, which is here represented.



Richard Manaton was mayor of Bodmin in 1668; and his wife Penelope, whose initial appears on the token, was buried Sept. 23, 1670. He evidently was of the family of which this notice is given by the Lysons in their *Devonshire*:—

Manaton, or Mannington, of Manaton in Southill. The descendants of this ancient family removed into Devonshire in the early part of the last century, and are said to be still remaining, in a reduced condition. Arms, Argent, on a bend sable three mullets of the field.

To pass from arms to mottoes, we must thank Mr. Maclean for the amusement he has afforded us by a whimsical misapprehension that occurs at p. 163, in a note upon the epitaph of Jowdy and Katheren the two wives of Richard Durant. Jowdy died in 1589, and Katheren in 1608; and the ridiculous appearance of the former name—then no doubt a familiar acceptance of Judith, but now only surviving in a somewhat similar form attached to the immortal consort of Punch, may perhaps have raised visions of other names as extraordinary. Such we imagine was the state of our author's mind when he placed the words *Moderata Durant* as if they had been the poet's signature to eight lines of English verse written in praise of Richard Durant's two wives: for he has affixed to *Moderata* a note to inform his readers that "This name has not been found in the registers." It is obvious enough that the two words were not a signature, but a motto; either the ordinary motto of the Durant family: or a sententious expression of the writer of the epitaph, playing upon the name. Though not attributed to the name of Durant in Elvin's *Handbook of Mottoes*, we find there *Moderata durant* entered as the motto of three other families, viz. Bushe, Irvine of Bieldside, and Staunton of Longbridge.

## THE FAMILY OF PRIDEAUX.

*To the Editor of THE HERALD AND GENEALOGIST.*

DEAR SIR,—I notice in your vol. v. p. 224, extracts from the Registers of Barbadoes, in which are three entries relating to the Prideaux family. Some few years since I procured copies of all the entries relating to the family of Prideaux in the same records, and they amount to 14, being 1 marriage, 5 baptisms, and 8 burials; but, though I have been for a considerable period collecting information respecting *all* the branches, connected and unconnected, of this ancient family, I have hitherto been unable to identify this branch with any other. In *Notes and Queries*, II. x. 347, was inserted an inquiry as to what branch they belonged; also in what way they were connected with the celebrated Admiral Blake. This was replied to at p. 419 in a measure; but the reply is not very clear, as it speaks of an "Elizabeth Blake (as above)," but this "above" is nowhere to be seen. Further reference will be found in vol. xi. pp. 115 and 512. In this last account the writer believes Nicholas Blake's wife to have been a Prideaux; but, though I have seen several of the Prideaux wills, I can gather no information from them as to this idea. About the latter part of the 15th century and beginning of the 16th the Prideaux family were very numerous in and around the original seat of the family, viz. Orchardton, near Modbury, Devon; as abundant entries are found recorded in the registers of Ugborough, Ermington, Holberton, and even in Plymouth; so that from one of these places the first I believe that settled in Barbadoes is to be looked for. It appears that the records in the Secretary's office at Barbadoes prior to 1669 are in a very imperfect state; still, any one having access to them might be able to derive some information that would determine more exactly the place from which the first settlers came. But there are now no monuments or gravestones extant in St. Thomas' parish on the island. I have been informed that some twenty years since inscribed stones (I presume on the floor) to the memory of some members of this family were to be seen in a church in or near Lombard Street, London, but I have failed in finding the church.

I subjoin some genealogical notes derived from the wills of Nicholas Prideaux and his son James, and from the Barbadoes collection in the British Museum, &c. &c.

Nicholas Prideaux, of the parish of St. Thomas, in the Island of Barbadoes, will dated 10 April 1695. After this will was made he appears to have married, 2ndly, 3rdly, or 4thly, a Mrs. Damaris Carter, relict of Lieut.-Col. James Carter, as he added a codicil on the 21st July 1699 (will proved 1702). It appears this Nicholas signed an address to the Governor of Barbadoes, Sir Richard Dutton, 16th April 1681; and another to King James the Second, 14th Feb. 1687. In the previous January he was elected a representative in the House of Assembly for St. Thomas parish. He would almost appear to have had *four* or *five* wives, (but doubt-

less one or two of them may have been his son's,) as the following entries occur in the register, viz.:

12 April, 1667, Mrs. Jude, wife of Mr. Nicholas Prideaux, buried.

9 May, 1671, Bridget, wife of Mr. Nicholas Prideaux, buried.

3 Sept. 1694, Rebecca, wife of Mr. Nicholas Prideaux, buried.

In addition we have the marriage of Nicholas Prideaux and Jane Newbold to account for. Nicholas Prideaux had a sister Ann living in 1695; also his mother, to whom he leaves a legacy, calling her his ever honoured mother. Her maiden name is believed to have been *Blake*.

Nicholas Prideaux's eldest son Nicholas, not liking "to lead a planter's life," had an annuity granted him for the term of his life, as by papers recorded in the Secretary's office may at large appear (extract from will); his second son Thomas, whom he makes his heir; third James, who he desires to be sent to London to be educated and apprenticed to some good merchant. His eldest daughter Elizabeth married Mr. John Tindal, rector of St. Ives, Cornwall, and vicar of Cornwood, Devon, to whom he confirms the writing made to him on his marriage with his daughter. By this match she became the mother of the celebrated Nicholas Tindal, the translator and continuator of Rapin's *History of England*, who appears to have been born the 25th Nov. and baptized 9th December 1687, at Charles church, Plymouth, where also is recorded the baptism of his brother John 4th Dec. 1688; Nicholas Prideaux's second daughter called Ann; 3rd, Rebecca; 4th, Judith, who appears to have died unmarried 26th Jan. 1689; 5th, Frances, who I take to be the Mrs. Frances Prideaux buried 8th Oct. 1706. Of the eldest son Nicholas nothing more is known; nor of Thomas, unless he is the one buried on the 11th April 1726, as Lieut.-Col. Thomas Prideaux. James Prideaux, the 3rd son, married Susannah, and had issue (1) Nicholas, baptized 1st August 1725; he would appear to have died before 1761, as he is not mentioned in his father's will; (2) Rebecca; (3) Agnes; (4) Susanna; (5) Frances; (6) John; (7) Samuel.

I should be glad to see the remainder of the Barbadoes register printed in your valuable work, also for any suggestions that may throw light on this branch of the family. Cannot some information be gleaned of those who lived only about 100 years since from the present registers in the Island? I will conclude this sketch with a few queries.

1. At what date did we obtain possession of the Island of Barbadoes?
2. Is there extant a list of the first settlers?
3. Is it known *where* and *at what date* the Rev. John Tindal married his wife Elizabeth?
4. How many children had he?
5. Where can a pedigree of the Blake family be seen, commencing with the father or grandfather of the celebrated Admiral Robert Blake?
6. Are there not documents relating to the Island in the State Paper Office?

*Plymouth.*

GEORGE PRIDEAUX.

PRIDEAUX and TINDAL.—John Tindal, Rector of Beer Ferrers, Devon, the earliest member of this family of whom there is any account, by his wife Ann daughter of Matthew Halse of Efford, Devon, had issue two sons, viz. Matthew Tindal, LL.D. Fellow of All Souls' College, the polemical writer, born 10th April, 1655, died unmarried 16th August, 1733, and Rev. John Tindal, Vicar of Cornwood, Devon, and Rector of St. Ives, Cornwall, who died before his brother. He married Elizabeth, eldest daughter of Nicholas Prideaux, President of the Council of Barbadoes, and by her had issue two sons and one daughter, viz. Elizabeth, who married Rev. Robert Forster, minister of Staddiscomb in the parish of Plymstock, and had issue :—

The eldest son, Rev. Nicholas Tindal, the translator and continuator of Rapin's *History of England*, born 25th November, 1687, died 27th June, 1774. By his first wife, Ann, daughter of John Keate of Hagborne, Berks, he was great-grandfather of the late Sir Nicholas Conyngham Tindal, Chief Justice of the Court of Common Pleas. He married secondly, in the chapel of Greenwich Hospital in 1753, Elizabeth daughter and heir of John Gugelman, captain of Invalids, by whom he had no issue. She remarried, 30th November, 1784, John White of Alplington, Devon.

The second son, Rev. John Tindal of South Sydenham, Devon, born in 1688, married in June 1720 Mary Crosse of Plymouth, widow. She died the following year, leaving issue by her former husband one son and four daughters, viz. Edmund, then under age, Mary, Jane, Elizabeth, and Ann Crosse. By her last will, dated 25th August, 1721, she appointed her then husband, John Tindal, residuary legatee and sole executor, who duly proved the will in the P. C. of Canterbury on 18th November, 1721. Therein is recited an indenture before her last marriage dated 13th June, 6 Geo. (1720), made between herself as Mary Crosse of Plymouth, Devon, widow, of the first part, George Ridout of Plymouth, gentleman, and Richard Trescott, of Plymouth, cooper, of the second part, and her now husband, John Tindal of the parish of Sydenham, Devon, clerk, of the third part.

Not many years after Barbadoes had been taken possession of by the English, King James I. in the last year of his reign granted the island to James Lord Ley, Lord High Treasurer, and his heirs in perpetuity. He was afterwards created Earl of Marlborough by King Charles I. This nobleman took his title of Baron from his native place, being sixth son of Henry Ley of Ley in the parish of Beer Ferrers, Devon. Query: Is it not probable that under his influence the Prideauxes and other Devonshire men were induced to go out and settle in Barbadoes?

*Southampton.*

B. W. GREENFIELD.

## THE PEYTONS IN VIRGINIA.

*To the Editor of THE HERALD AND GENEALOGIST.*

SIR,—In your No. XXXI. (p. 63) I was surprised to see the claim of Col. John Lewis Peyton to the Isleham Baronetcy—which in Virginia is notoriously extinct. I have conversed with many of the name, but never before heard that they had any idea of descent from Major Robert Peyton. On the contrary, Col. Thomas G. Peyton (who married my first cousin) son of Gen. Bernard Peyton of Richmond, and first cousin of Col. John Lewis Peyton, sometime since gave me a pedigree of his family, of which I inclose a copy.

In my extracts from the Land Records, I find that in 1654 one “Vallentine Patten patents 1,000 acres in Westmoreland county upon the head of Oquy River [now Aquia Creek] adjoining land of Richard Codsford, for transportation of twenty persons into the colony—this land afterwards sold to Henry Peyton.” Again in 1657, Henry Peyton patents 400 acres in Westmoreland known by name of Sandy or Baggelt Point, opposite to Doeg’s present plantation: this land was assigned to Henry Peyton by Richard Codsford. Again in 1662, “Col. Vallentine Payton” patents 1600 acres on Oqui River—this land sold to him by Robert Hubbert.

In 1681, “Major Robert Peyton” patents 1000 acres in St. Stephen’s parish New Kent County adjoining Mr. Brereton. In 1683, “Robert Peyton, gentleman, of y<sup>e</sup> co. of Gloucester,” patents 150 acres of land in Kingston parish on north side of Blackwater Creek [in what is now Matthews County]. In 1738, “Mr. Thomas Peyton gentleman,” son of Major Robert, patents 110 acres in Gloucester.

This is *all* the mention I find of the Peytons in the Land Records (which have a fine index in a separate parchment folio). In the fragments of parish records of Gloucester, I find “Mr. Robert Peyton” vestryman from 1683 to 1693; and in 1705, “At a meeting for y<sup>e</sup> North River Precinct [now in Matthews] on y<sup>e</sup> 24th of November—Present—Capt. Ambrose Dudley, vestryman.

Mr W <sup>m</sup> Elliott	Mr Rich <sup>d</sup> Dudley	Mr W <sup>m</sup> Tompkins	} Inha- bitants.
Mr Rob <sup>t</sup> Elliott	Mr Ja <sup>s</sup> Ransone	Mr Tho <sup>s</sup> Peyton	

Yours faithfully,

W. M. CARY, Jr.

Baltimore, Dec. 11, 1869.

1. Margaret, dau. and coheir of Sir John Bernard. — Thomas Peyton, son of John de Peyton, the tenth — 2. Margaret, dau. and coheir of Sir Hugh Francis, in descent from William de Mallet. —
    1. Sir Christopher, Sheriff of Cambridge and Huntingdon, 12th Hen. VII.; very rich; buried in Isleham Church in 1500. — 2. Francis Peyton, of St. Edmondsbury, and Coggeshall, Essex, mar. Elizabeth, dau. of Reginald Brooke, of Asphall Stoneham in Suffolk. —
  - Sir Robert Peyton, Sheriff of Huntingdon in 1499. — Elizabeth, dau. of Sir Robert Close, of Ormesby. —
    - Sir Robert Peyton, of Isleham, Cambridge, Sheriff 1526-1536. — Sir John Peyton, ancestor of the Peytons of Knowlton, Kent, and Doddington. —
    - Sir Robert Peyton, M.P. for Cambridge 1557-8, knighted by James I. in 1608. —
    - Sir John Peyton, of Isleham, created Baronet May 22, 1621. —
  1. Matilda, dau. of Sir Edward Peyton, Bart. M.P. — 2. Jane, dau. of Sir James Calthorpe of Norfolk. — Robert Swesay. —
    - Sir John Peyton, Bart. mar. Miss Hobart. — Thomas = Elizabeth, dau. of Sir Peyton | William Yelverton. —
      - William, went to Ireland. — Robert Peyton, went to Virginia, married and left five sons. — Charles, of Norfolk, left six sons. — Thomas. — John Howe, Bernard, mar. Amanda Green. —
    - Benjamin. Thomas, mar. Frances Tabb. — Colonel John Lewis Peyton, the claimant. — John Lewis Peyton, of the firm of Peyton and Cary, Richmond and Virginia. —
  - Sir John Peyton, Bart. of Isleham, Gloucester county, Virginia. —
  - John Peyton, only surviving son, married Anne, dau. of Henry Washington, and died s.p.m. —
- Christopher Peyton of St. Edmondsbury, mar. Jane dau. of Thomas Mildmay. —
- Henry Peyton of London, mar. Mary dau. of Wm. Pickering, esq. of London, in 1604. —
- Valentine Peyton, second son of Henry, visited Virginia in 1665. —
- Henry Peyton, came to Virginia in 1666, and settled in Stafford county. —
- John Peyton, esq. of Stony Hill, Stafford, only son; mar. twice, 1st, Anne Waye; 2nd, Elizabeth Rowzee, of Essex. —
- John Rowzee Peyton, Valentine, son by son by second wife. — second wife. —

## EDWARD STANLEY, Esq.

SECRETARY TO THE COMMISSIONERS OF THE CUSTOMS.

As in previous editions of *The History of the Landed Gentry*, we find in that published in April 1868 the following statement in the article "WHATMAN, of Vinters:—"

James Whatman, esq. of Vinters, born 1741, high sheriff of Kent 1767, married 1st, 1769, Sarah eldest daughter of Edward Stanley, esq. Commissioner of the Customs, cousin of the Earl of Derby, and had by her two daughters, viz. Camilla married 1794 to Sir Charles Style, Bart. and Lætitia Philippa married 1798 to Samuel Bosanquet, esq. of Dingestow Court, county Monmouth.

The will of the Edward Stanley here referred to was proved in the P.C.C. in 1789, and the announcement of his death appeared in the *Gentleman's Magazine* for that year, as follows:—

*January 6.* Edward Stanley, esq. formerly Secretary to the Commissioners of the Customs.

From this announcement in the *Gentleman's Magazine* and also from Hasted's *History of Kent*, it appears that Mr. Stanley was only Secretary to the Commissioners. In Haydn's *Book of Dignities* there is no mention of an Edward Stanley among the Commissioners of Customs from 1741 to 1789 inclusive.

In the Whatman pedigree it is seen that Mr. Edward Stanley is described as a "cousin of the Earl of Derby," though of which Earl it is not stated. But in the article "BOSANQUET of Forest House and Dingestow Court," in the *History of the Landed Gentry*, the 11th Earl of Derby is specified as the peer to whom Mr. Edward Stanley of the Customs was cousin.

The pedigree of the Earls of Derby is well known, and is very fully detailed in various publications, among others in Sir Bernard Burke's own work on the peerage.

Sir Edward Stanley, fifth baronet of his line, born September 11, 1689, succeeded to the earldom of Derby in 1735-6; his kinsman James Stanley, tenth earl and the last of the old line, having died s.p.

Sir Thomas Stanley, the father of Sir Edward who thus succeeded as eleventh Earl of Derby, was an only son. The eleventh Earl of Derby had, therefore, *no first cousin of the name of Stanley*. Among his more distant cousins the Edward Stanley of the Custom House under notice cannot be discovered.

It appears from the Bosanquet pedigree that Mr. Edward Stanley's wife was "Catherine, daughter of Joseph Fleming, brother of the Hon. Gilbert Fleming, Lieut.-General of the Carribee Islands." By

this marriage with a Miss Fleming Mr. Edward Stanley of the Customs is not to be confounded with Edward Stanley, esq. of Greswithen, co. Cumberland, who married Mildred daughter of the Right Rev. Sir George Fleming, Bart. Bishop of Carlisle, and died in 1751.

The foregoing remarks, it is evident, render more than doubtful the assertion that Mr. Edward Stanley of the Customs was a "cousin of the Earl of Derby" as the Whatman lineage has it,—or a "cousin of the eleventh Earl of Derby" as the Bosanquet lineage has it. Unless therefore the Editor of the *Landed Gentry* can obtain from the Whatmans and Bosanquets some account of the birth and parentage of Mr. Edward Stanley of the Customs who died in 1789, with documents calculated to show that he was really of the Derby family, it would be better for the reputation of all parties concerned to strike out the statement that Mr. Stanley was a cousin of the Earl of Derby in the next edition of his work.

By this, the Editor would only be carrying out the revision and correction of the lineage of the Whatman family commenced in the edition of 1868, in which he has struck out that part of the Whatman lineage which contained the story<sup>1</sup> of an alleged descent from a Recorder of Chichester in 1626, of James Whatman of Loose, co. Kent, tanner, who died in 1725, and his son James Whatman, who got possession of the paper mills of Boxley by his marriage with Mrs. Ann Harris, the widow of Richard Harris the previous proprietor.<sup>2</sup>

The wife of Thomas Whatman, the Recorder of Chichester in 1626, referred to, was stated to be a daughter and co-heir of John Sackville, of Dorking, cousin of the first Earl of Dorset. James Whatman of Loose, and his son James Whatman of Boxley, being, as alleged, descended from this marriage, it appeared to follow that their descendants, Mr. Whatman of Vinters and Mr. Bosanquet of Dingestow Court, could boast of having the blood of the Sackvilles in their veins.

This pretension, as above observed, has now been struck out from the Whatman lineage, but the claim of an alliance to the not less noble family of the Stanleys, Earls of Derby, still remains (so far as regards the Bosanquet family) in both the Whatman and Bosanquet pedigrees.

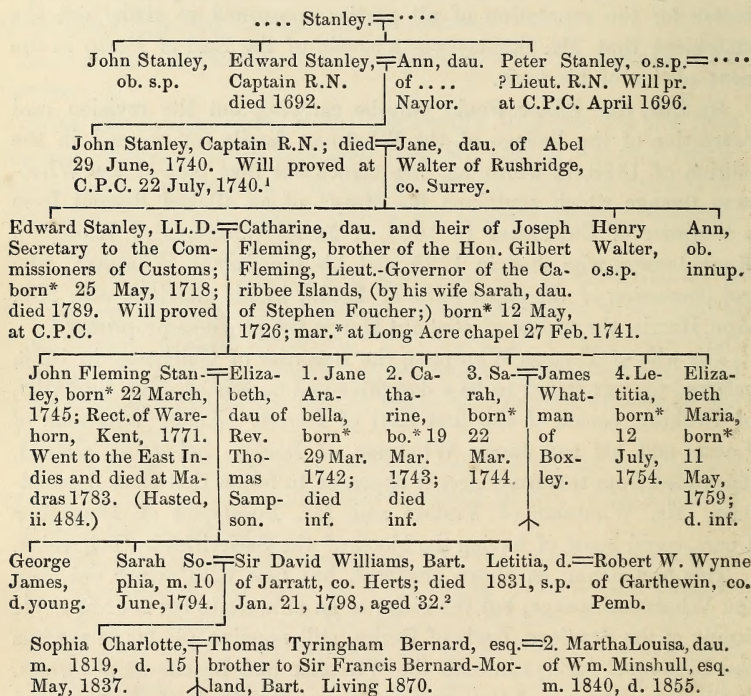
Sir John Stanley of Grange Gorman, co. Dublin, Bart. (first created a Baronet of Ireland, and afterwards a Baronet of England), was a

<sup>1</sup> The story about the descent of the Whatmans from independent yeomen of Kent who left much of their land to monasteries has been modified in the edition of 1868 into the assertion that the Whatmans of Vinters are "of a family which claims descent by tradition from a race of independent yeomen of Kent in *Saxon times*," whatever that may mean!

<sup>2</sup> See *The Herald and Genealogist* (Part xxiii. August 1867) vol. iv. pp. 455-460.

Commissioner of Customs from 1708 to his death in 1744. His title became extinct at his death. In his will he leaves 100*l.* to an Edward Stanley. This Edward Stanley made affidavit that one of the codicils was in Sir John's handwriting. Was this Edward Stanley the Edward Stanley of the Custom-House? ATHELSTAN.

From the materials placed at our disposal by a descendant of Mr. Edward Stanley of the Customs, we are enabled to form an opinion as to the grounds for a belief in the possibility of consanguinity of his family to the Derby, or more precisely to the Alderley, line. The facts, which were chiefly collected by Francis Townsend, Windsor Herald, are for the sake of clearness embodied in the following pedigree:—



<sup>1</sup> He makes no mention of any child or other relation in his will, except his wife Jane, whom he appoints sole executrix.

<sup>2</sup> There is a monumental inscription to Sir David Williams in Clifford church, co. Hereford, in which he is styled "of Goldington, co. Herts, and of Clifford Court, co. Hereford, descended from Sir David Williams, of Gwernyfed, knt. one of the Justices of the King's Bench, whose eldest son Henry was advanced to the dignity of a Baronet by Charles I." &c. &c.

\* Family Bible.

## Sponsors, from the Family Bible:—

1. Jane Arabella . . . Mrs. Fleming and Mrs. Stanley and Christopher Lowe, esq.<sup>1</sup>
2. Catharine. . . . . Mrs. Peyto and Mrs. Fleming and John Harvey, esq.
3. Sarah. . . . . Mrs. Brouncker and Mrs. Fleming and Robert Young, esq.
4. John Fleming . . . Hon. Gilbert Fleming and Henry Brouncker, esq. and Mrs. Clenden.
5. Letitia . . . . . William Wood, esq. (Jury of the Customs); the Rt. Hon. the Lady Forbes,<sup>2</sup> wife of Lord Forbes (eldest son of the Earl of Granard); and Mrs. Vin . . .<sup>3</sup> of Mimms, in Hertfordshire.

The occurrence of the rather rare Christian name Peter at first sight seems to suggest a connection with Sir Peter Stanley of Alderley, two of whose brothers were married and, we believe, had issue. There is, however, only this point, (which, after all, may be amere coincidence,) and a certain agreement in dates, to corroborate the tradition.

On the other hand we find, in the Visitation of Sussex, taken in 1634, and in that of Middlesex, taken in 1663-64, a pedigree of Stanley,<sup>4</sup> (bearing different arms from those of the ennobled house, viz. Or, three eagle's legs erased a la quise gules, on a chief indented azure three stag's heads caboshed or,) which terminates thus:—

.... Stanley of Wellingborough, co. Northampton. (D. 17 Coll. Arms.)

William Stanley, of Alton, co. Southampton.

Henry Stanley of Chichester, — Anne, dau. of William Madgwick, of Kerford,  
2nd son.<sup>5</sup> co. Southampton.

- |                              |   |             |   |            |             |
|------------------------------|---|-------------|---|------------|-------------|
| 1. Edward Stanley, 1634.     | — Martha, dau. of Peter Cox. <sup>6</sup> | 2. Richard. | 3. Henry, <sup>7</sup> Fell. of New Coll. Oxford. | 4. Philip. | 5. William. |
| 1. Edward.      2. Nicholas. |   |             |   |            |             |

<sup>1</sup> Chief Clerk of the Treasury, died 1754.

<sup>2</sup> Letitia, dau. of Arthur Davys, esq.

<sup>3</sup> Torn off. ? Vincent.

<sup>4</sup> A different race from Stanley of Lee in Fittleworth, which also appears in the Sussex Visitation of 1634, and which bore the arms of the elder house thus differenced: Azure, on a bend azure, cotised gules, three stag's heads caboshed or. Thomas Stanley of Lee, living at the time of the visitation, is stated to have been a grandson of John Stanley of Dalgarth in Cumberland; see this pedigree printed in Dallaway's *Rape of Arundel*, p. 309, second edit. 344, carried down to its last male representative the Right Hon. Hans Stanley, (grandson maternally of the celebrated Sir Hans Sloane,) and his sisters and co-heirs, one of whom was Lady Mendip.

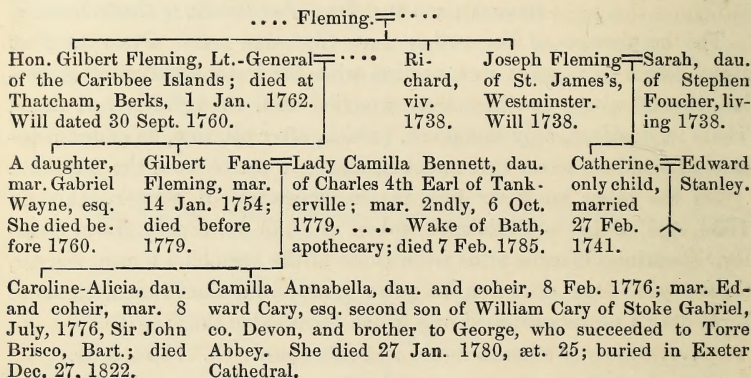
<sup>5</sup> Was this Henry and the following the same? Chichester sub-deanery, or parish of St. Peter the Great, Burial Register: "1613. Aug. 1. Buried Mr. Henry Stanley." See *Burrell's MSS. for Sussex*, in the British Museum.

<sup>6</sup> This is, no doubt, the Peter Cox who made the "deposition as to the conduct of the Mayor of Chichester and Alderman Chitty," in the case of the dispute between them and Thomas Whatman the Recorder. See "A Letter to Sir John Bernard Burke, Ulster King of Arms of all Ireland," p. 21. (ATHELSTAN.)

(For Note 7, see following page.)

Here, it will be observed, we are brought into the county bordering upon those with which the Walters and Whatmans were connected, and we have in the father-in-law of Edward Stanley senior a source from which the Christian name Peter might have been derived. In the absence of all positive proofs, the matter must be left to the impartial judgment of the reader.

The Flemings, related to Mrs. Edward Stanley, were as follow:—



The arms drawn in this pedigree (by Townsend, Windsor) for Gilbert Fane Fleming are, Gules, three crescents ermine two and one, between nine cross-crosslets fitchée or, three, three, and three.

Administration of the will of Joseph Fleming, of St. James's, Westminster, dated 1738, was granted with will annexed in 1741 to his widow Sarah. (P.C.C.) His good friends Francis and Henry Fane had been named executors in England: but they renounced. The name of his nephew Gilbert Fane Fleming would be derived from the family here mentioned.

The death of Gilbert Fleming, esq. of Sibdon Castle, Shropshire, member of a family settled at Westhope in Salop and Dinmore in Herefordshire, is announced in 1774; but his will has not been discovered; and it appears doubtful whether he is to be identified with Gilbert Fane Fleming.

<sup>7</sup> Henry became a Doctor of Physicke, and at the Visitation of Middlesex, 1663-4, was living in Cursitors' Alley. He had married Mary, third daughter and coheir of Sir Thomas Panton of Westminster, Lieut.-Collonell to one of the standing English regiments in Holland in a° 1606, and had issue, besides Thomas and Frances who died young, Henry, his only surviving child in 1664, and then aged about 8 years. The pedigree is signed by Dr. *Henry Stanley* in D. 17 Coll. Arm.

ADDITIONAL NOTES ON THE LEGATEES OF HUGH AWDELEY THE  
USURER, AND PEDIGREE OF HARVEY.

By the kindness of my friend the Rev. W. Grigson I have been favoured with extracts from some wills, which, with the help of monumental inscriptions in Maitland's *History of London*, enable me to supply much of the information desiderated in my notes (pp. 156, 157,) on the legatees of Hugh Awdeley.

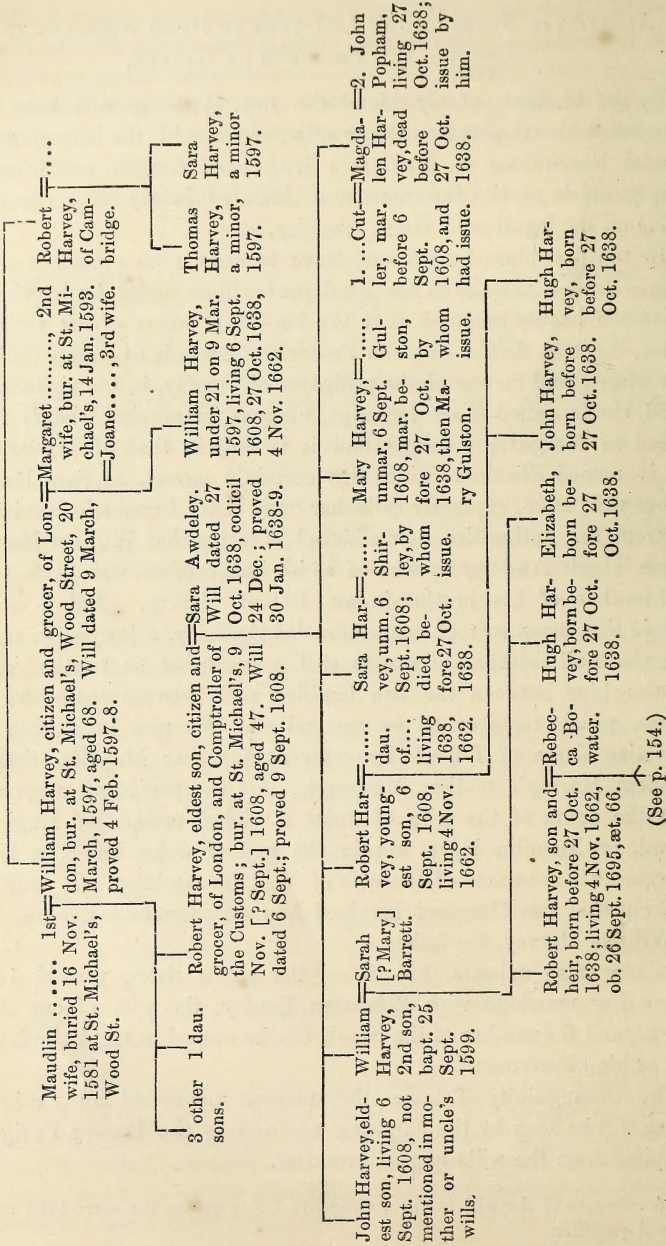
In the first place I must ask leave to correct an oversight of my own. From a passage in the legal proceedings under Awdeley's will, I had too hastily assumed that the baptismal name of his youngest sister, the wife, first of Stephen Peacock, afterwards of John Jennings, was Mary; and in one of the pedigrees of Bonfoy, in the visitation of 1663, she is called Mary Jennings, whereas in another she is mentioned as Margaret Jennings, and it is only in that of Davies that she is named Elizabeth, which was certainly correct, as Sara Harvey in her will, 1638, expressly calls her "my sister Elizabeth Jennings."

From the authorities now adduced it seems that William Harvey, whom Hugh Awdeley speaks of as his half-brother, was in fact the half-brother of his brother-in-law Robert Harvey. But I cannot believe that loose sort of connection led Awdeley, a lawyer, to entitle him *his* half-brother. There is still a confusion as to the earlier relationships between the two families, and between them and the Hares, which requires to be unravelled. We now know that the Christian name of Robert Harvey's mother was Maudlin, that of William Harvey's mother, Margaret. All the pedigrees referred to give the name of the wife of John Awdeley, mother of Hugh, as Mawd, or Maudlin Hare, but in the will of John Hare, in 1564, Margaret<sup>1</sup> is the name of the wife of William Awdeley. It may yet turn out that this Margaret survived him and became the second wife of William Harvey, the father.

It now also appears that Alice, the eldest sister, was in 1608, before her marriage with Sebastian Bonfoy, the wife of one John Clarke, and the mother of the Sarah Clarke named in Hugh Awdeley's will as his kinswoman.

The consanguinity of some other persons mentioned in my original notice will be seen by the following addition to the Harvey Pedigree, compiled from the wills quoted hereafter.

<sup>1</sup> A reference to the will in the Prerogative Office proves the correctness of my original quotation.



Will of WILLIAM HARVEY, late citizen and grocer of London, dated 9th March, 1597; eldest son Robert and other sons mentioned; *youngest son, William Harvey*, unprovided for. Sara Harvey and Thomas Harvey, children of testator's brother, Robert Harvey, of Cambridge, both minors. Proved P.C.C., 4th February, 1597-8, by Robert Harvey, the son and executor.

Will of ROBERT HARVEY, citizen and grocer of London, dated 6th September, 1608; eldest son John; other sons, William and Robert; daughter, Sara Harvey; daughter, Mary Harvey; daughter, Mawdlyn Cutler, and her children; my brother, John Clarke, and his wife; my brother, Nicholas Awdley, and his wife; Thomas Awdley, Hugh Awdley, William Harvey. Proved P.C.C., 9th September, 1608, by Sara Harvey the widow and executrix.

Will of SARA HARVEY, of St. Olave, Old Jewry, London, widow, dated 27th October, 1638; to be buried in the parish church of St. Michael, Great Wood Street, London, "where my father, mother, and late husband lye buried;" testatrix born in that parish; the tomb of my late father-in-law, Mr. William Harvey, in St. Michael's church; my grandchild, Mathew Shirley, son of my daughter, Sarah Shirley deceased, legacy to be paid to him at his return from sea; to my niece, Mary Jennings, when married; to my son William Harvey, and his wife; to my grandchild Robert Harvey, son of said William, when 21; to Elizabeth Harvey, daughter of said William, when 21, or married; to Hugh Harvey, another son of same, when 21; to my son Robert Harvey and his wife; to my grandchild, John Harvey, son of said Robert, when 21; to my grandchild, Hugh Harvey, son of said Robert, when 21; said son Robert's wife, with child; to my brother William Harvey; to my sister Elizabeth Jennings; to my two brothers, Hugh Audley and Thomas Audley; to my grandchild, Mary Waterhouse, daughter of my late deceased daughter Magdalen Popham; to Edward Waterhouse, husband of said Mary; to my son John Popham; to John Hide and Nicholas Croone, grandchildren of my sister Alice Clarke; to my daughter Mary Gulston; to my grandchild, Robert Gulstone; to my daughter Bentley and her two children; to my grandchild, Robert Shirley; to my cosen, Mary, the wife of John Davies, and her children; to Sarah, daughter of my cosen Sarah Clarke; to Mr. Francis Waterhouse and his wife, and to their son, said Edward Waterhouse; to my sons William Harvey and Robert Harvey; my loving brothers Hugh Audley, Esq., and Thomas Audeley, citizen and mercer, of London, executors. Codicil dated 24th Decem-

ber, 1638. Proved P.C.C., 30th January, 1638-9, by William Harvey the son, on the renunciation of the executors.

MONUMENTAL INSCRIPTIONS IN ST. MICHAEL'S CHURCH,  
WOOD STREET.

WILLIAM HARVEY, citizen and grocer of London, was buried 20th March, 1597, aged 68 years. MAUDLIN, his first wife, by whom he had four sons and one daughter, was buried 16th November, 1581. MARGARET, his second wife, by whom he had issue one son, was buried 14th January, 1593. JOANE, his third wife, survived.

ROBERT HARVEY, his eldest son, citizen and grocer, was buried in his father's grave, 9th November(?), 1608, out of his house in the Old Jewry, being of the age of 47 years 5 months and 10 days, having been Comptroller of the Custom House and Warden of the Grocers. He had to wife SARA AUDLEY, of whom he had issue three sons and three daughters.

I am still at a loss as to the stock to which the Awdeleys belonged. The grant of arms was made by Camden Clarencieux on the 7th Oct. 1608 to (Hugh's eldest brother) Thomas Audley of London, son and heir of John Audley of Sutton in the county of Kent, gentleman, and Maudlin his wife daughter of John Hare of London, esquire, viz. Or, a fess cotised between three conies sable; crest, on a wreath, a martlet or, beaked and winged sable. (MS. E. D. N. Alphabet in Coll. Arm.)

GEO. A. CARTHEW.

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*To the Editor of THE HERALD AND GENEALOGIST.*

Many readers of Hugh Awdeley's interesting Will will be glad to know more about the persons named in it, and to have them clearly identified. I therefore send you a few notes, in the hope that my example will be followed by others, who have more information to give.

1. "*My kind and ancient frend Mrs. Sarah Methwold.*" This is evidently the widow of William Methwold, or Methold, Esq., of South Pickenham, in Norfolk, and of Hale House, Kensington, who was the author of that curious narrative about the diamond mines of Golconda, printed in the fifth volume of Purchas's Pilgrims. She was one of the three daughters and co-heirs of Ald. Sir Richard Deane, Knight, Lord Mayor in 1628, and was at the date of her father's will (8th

July, 1635), the wife of William Rolfe, Esq., of Enford, Wilts, a barrister of the Inner Temple, and M.P. for Heytesbury, 1628—40. Mr. Rolfe was one of the executors and original trustees of the well-known Charities created by the Will of Henry Smith in 1627, and died in April, 1646, without issue. His widow married at St. Matthew's, Friday Street, on the 15th of February, 1652-3, her second husband, William Methold, but he died on the 3rd of March following, leaving her his executrix and guardian of his children by his first wife. Mrs. Methwold had the mansion of Hale House in jointure, and seems to have taken after the Restoration an active interest in the intrigues of the discontented Roundheads, to which party her family connections belonged, for on the 3rd of November, 1662, the Secretary of State "issued a warrant for a search after disaffected persons, arms, papers, &c.," at her house in Kensington, "where private meetings had lately been held, the persons to be taken into custody and brought before him." [Domestic Calendars, Charles II.] The date of her death has not met my view, but she was still living on the 24th July, 1696, when she, with Francis Blake and Philip Hunter, conveyed by way of gift to Christ's Hospital the advowson of Enford, in Wiltshire. Blake and Hunter were probably her trustees only, for the vicarage of Enford was in 1670 in her sole patronage, when she presented to it the Rev. Thomas Jacob.

2. "Whereas I have lent unto Sir Thos. Gardener, K<sup>t</sup>, dec<sup>d</sup>, divers summes of money." This mortgagor was *Sir Thomas Gardiner*, Recorder of London, and afterwards Solicitor-General to King Charles I; for in his Will, dated 12th January, 1648-9, and proved in the Prerogative Court 21st December, 1656, Sir Thomas Gardiner says: "Whereas about February, 1646, I conveyed my lands in Cuddesdon, Denton, Wheatley, Horsepath, and Milton, in co. Oxon, to my good friend Mr. Hugh Audley, of the Inner Temple, London, Esq., and to his two nephews, William and Robert Harvey, and their heirs, to the intent that the said lands should be sold, and out of the proceeds the debt due by me to the said Hugh Audley should be paid, &c." Sir Thomas was buried at Cuddesdon, 15th October, 1652.

3. "*Hugh Audley*," of London, was admitted a student of the Inner Temple in Michaelmas Term, 1603, and was called to the Bar by that Society in 1611.

TEWARS.

## SIR THOMAS DAVIES, LORD MAYOR 1676-7.

Sir Thomas Davies was the son of John Davies of London, draper, and merchant-adventurer, and grandson of John Davies of Barkby, co. Leicester.<sup>1</sup> The name of his wife (deficient in the pedigree at p. 155) was Elizabeth Ridges, as appears from his epitaph inserted hereafter. The following biographical notices of Sir Thomas have been collected, in addition to those already printed in p. 151.

He was elected Alderman of the ward of Farringdon Without Sept. 19. 1667. He was Sheriff of London and Middlesex with Sir Dennis Gauden in 1667-8, and both were knighted 23 Oct. 1667, upon the occasion of the King laying the first stone of the Royal Exchange.

He was twice Master of the Stationers' Company, in 1668 and 1669. On the eve of his accession to the Mayoralty he was translated from the Stationers to the Drapers (his father's company), upon which occasion he presented to the former two silver tankards weighing respectively 63 oz. 14 dwt. and 60 oz. 15 dwt. These are still in use, and each bears the following inscription:—

EX DONO THOMÆ DAVIES Milit. Dom<sup>ni</sup> Majoris Civitat' Londini ac Societat. Stationar' his Magistri. 1676.

together with his arms and crest, quartering Peacock and Audley, to which the arms of the Company have been added at a later date.

Sir Thomas Davies served the office of chief magistrate during the years 1676-7. His mayoralty feast (which is described in the *London Gazette*, No. 1143) was honoured with the presence of the King and Queen, accompanied by their Royal Highnesses [*i.e.* the Duke and Duchess of York] and the Lady Mary and the Lady Anne. The speeches for his Pageant were written by Thomas Jordan: a copy is in the City of London Library at Guildhall: see also extracts in Fairholt's *Civic Garland*, 1845, p. 64.

The Monument commemorative of the Great Fire of 1666, erected on Fish-street-hill, was finished during his mayoralty, and he is the last of the seven Lord Mayors named in its inscription. During his mayoralty also was rebuilt the conduit on Snow Hill called Lamb's Conduit,<sup>2</sup> which bore this inscription:

INCENDIO CONSUMPTUM A° MDCLXVI.  
RESTITUIT S. P. Q. L. A° MDCLXXII.  
THOMA DAVIS MILITE, PRÆTORE.

<sup>1</sup> Bysse's Visitation of London, 120.

<sup>2</sup> Of which there is an interesting print inscribed "*Facies Occidentalis Aquarii supra Collem quem vocant SNOW-HILL*, Londin. Anno Dom. MDCCXLIJ diruti." and another of the south side, Levens sc. published by A. Bengo, 1810.

Sir Thomas Davies died in March 1679-80, being then only in the 48th year of his age, and was buried in the church of St. Sepulchre, where he is thus commemorated upon a mural tablet of white marble:<sup>1</sup>

Siste quisquis es, Lector, parumper gradum, oculum, animum monet hoc spectabile exemplum ut te esse mortalem memineris.

H. S. E.

Vir si quis alius egregius et venerabilis D. THOMAS DAVIES miles, cujus inviolatæ in Regem fides, amor erga Patriam incorruptus, mira animi præsentia et constantia, eruditio non vulgaris, linguarum atque legum peritia, cæteræque eximiæ dotes magno illi in rebus gerendis adjumento, magno post res gestas ornamento fuere In toga Prætor cathedram suis meritis implevit In sago Tribunitiam potestatem cum laude exercuit In maximo honore quum esset apud omnes bonos vivus, par sui desiderium bonis omnibus mortuus reliquit. Uxorem duxit D. Elizabetham Ridges, ex qua suscepit filios quatuor, Thomam, Johannem, Robertum, et Jacobum. Obijt anno Salutis Humanæ MDCLXXIX. Ætatis suæ XLVIII. dignus longiore vita nisi ad meliorem festinasset.

Abi sis Lector, et si potis es imitare.

Conjux mæsta optimo Marito P.

ARMS: Or, a chevron between three mullets pierced sable.

The arms of Sir Thomas Davies were granted to him by Sir Edward Bysshe, Clarenceux. Crest, on a chapeau proper a demi-lion rampant or.

The title-page of that magnificent volume, *London's Armory*, by Richard Wallis, published in 1677, and thus in Davies's Mayoralty, has a shield (*Davies* alone) at the head of its title-page. His arms occur also in a large series of Arms of Aldermen, engraved about the same period.

The will of Sir Thomas Davies (Prerog. Ct. 45 Bath) is dated 15 March, 1679, and proved 16 April, 1680, by Lady Elizabeth Davies, the mother and guardian lawfully assigned to Thomas Davies, esq. son and executor, during his minority.

This Thomas inherited the manor of Cressing near Braintree in Essex; where he shot himself.<sup>2</sup>

John, the second son, was afterwards styled of Cressing Temple, and was Surveyor of H.M. warehouse at the Custom-house, London.<sup>3</sup> His younger brothers, Robert and James, joined with him in the sale of Cressing in 1703.<sup>4</sup>

<sup>1</sup> There is a drawing of this tablet in the portfolio at the Guildhall Library. The monument is still attached to one of the pillars of the nave, but several errors have been introduced in repainting its inscription.

<sup>2</sup> Morant, Hist. of Essex, ii. 114. The date is not mentioned.

<sup>3</sup> "Md. Mr. Davies, who lives at Wanstead, is the second son." Le Neve, Pedigrees of Knights, Harl. MS. 5801, f. 82.

<sup>4</sup> A correspondent of the Gentleman's Magazine (Dec. 1848, p. 562) under the signature of D. A. C. N. I., stated that he possessed very ample particulars of the

The following advertisement was put forth shortly after the Alderman's death :

The House wherein Sir *Thomas Davies*, late Alderman of *London*, lived, Situate in *Snow Hill* near *St. Sepulchre's Church*, containing four Rooms on a Flore and large Closets, the House well Wainscoated and many conveniences, with two Gardens, Coach-house, and Stable adjoining, will be let on reasonable Terms, and the household Goods with a Library of choice Books will this day begin to be exposed to Sale at the said house. (*The London Gazette*, July 5 to July 8, 1680.)

Three of his autograph signatures are contained in Gregory's Collections for the biography of the Lord Mayors, preserved in the City Library at Guildhall.

The Pedigree of BONFOY (p. 153) may be somewhat continued from the following materials :—

At the time of the Visitation of Middlesex 1663, Nicholas Bonfoy, the eldest brother, signed his pedigree in the book now on record in the College of Arms D. I. 7. His wife Mary was the only daughter of Nicholas Sheppard of Sudbury (*not* Sunbury as in p. 153) co. Middlesex, by Anne daughter of William Millett of Harrow on the Hill.

Thomas the second brother is styled "Major Thomas Bonfoy" in the same record. He was afterwards an alderman of London, and knighted on the 27th April 1665. His wife Lettice was the daughter of Sir Thomas Barker, of Battisford and Ringshall, Suffolk.

The wife of Samuel the third brother was Mary daughter of Sir John Rea, citizen and scrivener (knighted in 1663), cf. Le Neve's Pedigrees of Knights, Harl. MS. 5801, ff. 61, 73.

Nicholas Bonfoy esq., the last in the pedigree in p. 153, became seated at Abbat's Ripton in Huntingdonshire.

"Nicholas Bonfoy, esq. of Abbat's Ripton, was buried June 17, 1734. He died on the 9th, aged 60 years and one day. Eliz. Bonfoy his widow died at Highgate, Middlesex, Mar. . . 1763, and was buried by her husband at Abbat's Ripton the Sunday after, aged 82. (MS. scrap of paper of Mr. Allen of Torporley their acquaintance.) Mrs. Bonfoy lived for some years at Cambridge after the death of her husband: her son was Fellow of Pembroke in my time, and has now, I think, an office in Ireland. Wm. Cole, Coll. Reg. Cant. A.M." (In MS. Addit. 5838, fol. 23.)

She was the fourth daughter of William Hale, esq. of King's children of Sir Thomas Davies, and their pedigree for three generations, down to 1703; but we are not aware that these particulars have been published, nor where they are now preserved.

Walden, M.P. for the county of Hertford temp. Car. II., by Mary daughter of Sir Jeremiah Elwes, of Roxby, co. Linc. and was baptized at King's Walden 14 May 1682. (Clutterbuck's Herts, iii. 132.)

Nicholas Bonfoy, esq., of Abbat's Ripton, was serjeant at arms to the House of Commons, and died Oct. 12, 1775. His niece Elizabeth, only child of Thomas Bonfoy, was married to John Rooper, esq. of Berkhamsted. She was the mother of John Bonfoy Rooper, esq. M.P. for the co. Huntingdon 1831-37, (ob. 1855,) and grandmother of the present Bonfoy Rooper, esq. of Abbat's Ripton. A pedigree of the family of Rooper will be found in Burke's *Landed Gentry*.

The arms of Bonfoy were (as before stated in p. 152), Azure, on a cross argent a human heart gules; the crest, a cubit arm in armour, the hand gauntleted holding a calvary cross. (Visit. Middx. 1663, D. I. 7 in Coll. Arm.)

## THE WILMOT COHEIRS OF DUDLEY.

*To the Editor of THE HERALD AND GENEALOGIST.*

Sir,—In p. 213 of your fifth volume an article on the Barony of Dudley refers to a statement of Sir Bernard Burke, in his *Vicissitudes of Families*, that George Wilmot had an eldest brother Pynson, whose son John King Wilmot was a coheir of the Barony, and also that George Wilmot's nephew Daniel Sinclair Wilmot was a clerk in the Customs at Bristol. The writer of the article says that he has been unable to test the accuracy of these statements.

I am the son of Daniel Sinclair Wilmot, and it was I who furnished Sir Bernard Burke with his information. I have been several times on the point of addressing you on the subject, but have hesitated from the consideration that the matter was one of no particular importance. However, I send you herewith a table of the descendants of Anne and William Wilmot, so far as known to me, and shall be happy, if required, to supply any further particulars in my power.

One proof of the accuracy of the information furnished by me to Sir Bernard Burke is easily given. After the death of Walter Woodcock the younger<sup>1</sup> a suit in Chancery was instituted for the distribution of

<sup>1</sup> Walter Woodcock (the younger) died on 20th Feb. 1821. "At his residence, Ridgeacre near Halesowen, in his 80th year, Walter Woodcock, esq. one of his Majesty's justices of the peace for the county of Salop." *Gent. Mag.* 1821, i. 282.



his estate. The suit was not terminated until the year 1859, when the wreck of the estate was distributed by the Court among his nephews and nieces or their representatives. The sum of 33*l.* 12*s.* 7*d.* was paid to my father, Daniel Sinclair Wilmot, and the like sum to my aunt, Anne Woodcock Rees, as their respective shares. Doubtless a share was also paid to John King Wilmot. Messrs. Hayes and Co. of Halesowen were the solicitors, and I believe the money was paid by or through them; but it is certain such payments would not have been made had not the family descent and claims been duly proved.

I have a copy of Mr. Woodcock's will, dated 3rd Feb. 1821, and several codicils. By the last codicil he appoints Dr. W. Lea Briscoe, his cousin, and Adam Prattinton executors. The will and codicils appear to contain many obliterations. I have also a letter dated 14th March, 1821, from Mr. Thomas Hughes, Mr. Woodcock's nephew, to his cousin, my grandfather, Walter Woodcock Wilmot, stating that he was about "to take an opinion on the will, and write to his Proctor about the administration." Mr. Hughes had been appointed one of the executors, but this appointment was revoked by the last codicil.

I have no precise information as to what was the occasion of the Chancery suit or of its long continuance and miserable result, but I think that there was ambiguity or informality in the will, and also that there was a defaulting trustee.

I am, Sir, your obedient servant,

W. B. WILMOT,

Superintendent Registrar of the District of  
Lambeth, formerly of Bristol.

*Willow Villa, Brixton Road.*

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*To the Editor of THE HERALD AND GENEALOGIST.*

DEAR SIR,—I am much obliged to you for forwarding for my inspection the letter and pedigree contributed by Mr. W. B. Wilmot. It is now clear that there are male descendants both of the Wilmots and Feredays existing, and that therefore the pedigree in Burke's *Royal Families*, referred to in a note to page 223 of my paper in your fifth volume, is incorrect in designating Mrs. Fereday and her daughter Mrs. Tylecote as *coheiresses*.

It appears from Walford's *County Families* that the pedigree of Fereday is thus continued :

Thomas Fereday, eldest son, now of Tuck Hill, near Bridgnorth, F.R.C.S. a magistrate for the counties of Stafford and Worcester; born 1806.	=	Mary Willetts, only child of D. Wright; mar. 1830; died 1852.	=	Emily Mary, only dau. of Capt. E. Oldnall; married 1853.
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Fanny Wright Fereday, only surviving child; mar. 1865.      Edward Lloyd Gatacre, jun. esq. eldest son of E. L. Gatacre of Gatacre, Salop.

Since my paper on the Barony of Dudley was printed, I have had a further opportunity of examining some of the family papers preserved at Halesowen Grange, and am enabled to offer you some additions to and corrections of my account of the Leas of that place.

Halesowen Grange was, as its name imports, one of the demesne farms belonging to the neighbouring abbey of Halesowen, and which the abbot and convent held in their own hands.

No less than ten of these farms or granges occur in different evidences of land belonging to the abbey; and all except that of Pyrcote, which lay in Oldswinford,<sup>1</sup> were situated in the parish of Halesowen. The residence of the Leas, from its proximity to the abbey, I take to be the grange which in Pope Nicholas's Valor, 19 Edw. I. 1291, is called the *Home* Grange, where the abbot then held seven carucates of land, and where, in 1505, on the death of Abbot Bruges, it appears there were forty-three oxen, a bull, and twelve heifers.

The other granges were Warley Grange, Hill (or *Hell*<sup>2</sup>) Grange, Owley Grange, Farley Grange, Whitley Grange, Uffmore Grange, Rudhall Grange, Blakeley Grange, and New Grange.

On the dissolution of the monasteries, Halesowen Abbey, with the manors of Halesowen and innumerable other lands, including the grange at Halesowen, were granted to Sir John Dudley, knight, afterwards Duke of Northumberland, and his heirs, by letters patent dated 30 Hen. VIII. to be held by the twentieth part of a knight's fee.

On his attainder, in the first of Queen Mary, divers of his lands were forfeited to the Crown, but he had previously disposed of many of them lying within the parish of Halesowen to two of his servants, Thomas Blount and George Tuckey, esquires, for 1000 years, at a peppercorn rent.

<sup>1</sup> Now called "*The Grange*." It is situated near the Stourbridge station on the West Midland branch of the Great Western Railway.

<sup>2</sup> So called in the grant to John Dudley. There is a large wood at Hunnington, hard by, called "*Hell Wood*."

Nash (vol. ii. appendix xxvii.) quotes a deed dated 3 Edw. VI. whereby John Earl of Warwick grants to "George Tokye, then his servant," the mansion of the manor of Hales, with one lesser tyled barne and one ox house at the Grange upon Uffmore, with all the houses builded upon Brackley Breache, a tyled barne called Witley, certain lands called Lappall Fields, and certain pastures and meads called the Brache, lying in the township of Hunnington, and within the pale of Uffmore.<sup>1</sup>

The inq. post mortem of the above George Tuckey was taken in the county of Salop, on 24th Jan. 37 Eliz. It states that he, by his deed dated Nov. 20, 31 Eliz., enfeoffed certain trustees of a messuage called "the Breache," in Halesowen, with divers lands belonging thereto, to the use of the said George and Joice his wife, and after their decease to the use of Eleanor Tuckey, daughter of the said George, and the heirs of her body; on failure of issue to her to the use of George and William *natural* sons of the said Eleanor, and on failure of issue to them to Anthony Tuckey, gent. brother of the said George.<sup>2</sup>

From Messrs. Blount and Tuckey the Grange passed by purchase to John Ive of Kingsnorton, whose daughter Joice carried it in marriage to her husband William Lea, of Lea Green, in the parish of Kingsnorton, from whom it has lineally descended to its present possessor, F. D. Lea-Smith, esq.

I stated in my account of the Leas (*Herald and Genealogist*, vol. v. p. 213), on the authority of the fourth edition of Collins's Peerage,<sup>3</sup> that *John* Lea, great-grandfather of Ferdinando Lord Dudley, "married a daughter of — — Ive, of Kingsnorton." This, it now appears, is erroneous.

The will<sup>4</sup> of William Lea of the Grange, dated 11th March, 1612,

<sup>1</sup> The Breach, anciently called "Brackley Breach," is the name of a farm lying near Halesowen Grange, and now belonging to Mr. Lea-Smith. Witley Barn, now called "Witley Lodge," is a gentleman's residence in the parish of Halesowen. About 100 years ago a murder was perpetrated there by a Mr. Darby, who then occupied it, for which he suffered death and was hung in chains at a place now called "Gibbet Lane."

<sup>2</sup> See *Notes and Queries*, IV. iv. 281. George Tuckey had also a son Edward, who appears to have predeceased him. Some particulars of him will be found in *Notes and Queries*, III. ii. 187.

<sup>3</sup> According to that work Ferdinando Smith succeeded his mother in 1766 as Lord Dudley. It seems that the mother assumed the title on the death s.p. of her brother Ferdinando Lord Dudley, but it was not adopted by the son, although he is styled *Honourable* in several documents during the lifetime of his mother.

<sup>4</sup> Apparently a duplicate, as it bears the original signatures of the testator and the attesting witnesses on every sheet. The latter were Francis Palmer, Will'm field,

is now lying before me. He desires to be buried in the parish church-yard of Halesowen, and gives xxs. towards the reparations of the same church. He expresses a strong desire that Joice his wife, to whom the messuage or tenement "comonly called the Graunge" wherein he then dwelt, and various lands adjoining it, did of right belong, after his decease (by virtue of a certain indenture of lease granted to John Ive, deceased, father of the said Joice, by Thomas Blount and George Tuckey esquires, for the term of 1000 years), should leave the same to William Lea, his second son, "yf the said Will'm my sonne shall and doe in the life-tyme of my said wife reforme his vnthriftie and disorderlie course of life w<sup>ch</sup> he nowe takethe and follow<sup>th</sup> and that in suche laudable wise and manner contynuyng as shalbe to the good likinge of my saide wife and other of his honeste kinsfolks and friends, whereby shee and they may thynke him worthie thereof. Otherwise (he adds,) I will and desire my said wife to give and leave the same messuage, lands, and premises to such of her other children as she shall find worthie and well deservinge the same att the tyme of her decease."

He disposes of a considerable amount of real and personal property among his children. To his eldest son Thomas he gives, *inter alia*, all the goods, household stuff, and furniture at his house at Lea Green which he left at such time as he came from dwelling there.

He had five children: Thomas, who was then married and had three children; William; John, then under age; Alice, wife of William Collyns; and Bridget, wife of William Field.<sup>1</sup> He also mentions his

Thomas Lea, and William Lea the younger, "w<sup>ch</sup> Will<sup>m</sup>," it is added at the end, "was a witnesse to all this will and is sonne of the aforementioned Thomas Lea the brother." The will is not sealed, and is therefore not the original. It is known that in some cases the original will was returned to the executors after having been proved and registered. The will of William Lea, dated 1701, cited in my former paper, has every appearance of being the original. It is sealed with a shield bearing three squirrels, and is properly signed and attested.

<sup>4</sup> This was an influential family seated at Kingsnorton. They intermarried with the Whorwoods and Fetherstons of Packwood. They held property called "The Moats," "Blackgreves," "Wetheroak Hill," and "The Bells." William Field of Kingsnorton was fined for not taking knighthood at the coronation of King Charles I., and John Field of the Bells was high sheriff of Worcestershire in the eleventh of Queen Anne. "A descendant of this family," says Mr. Hutton, the historian of Birmingham, "finished their grandeur by signing away the last estate of his family."

Edward Field, who was steward of the manor of Kingsnorton, sealed in the 3rd James I. with the following coat: On a fesse between six crosses pattée three mullets. This seal bears his initials E. F. and is circumscribed with the following legend:

brothers Thomas and John, both of whom were married and had issue, the former being father of five children.

Joice Lea, his widow, made her will on the 24th Nov. 1631, at which date Thomas Lea her eldest son was dead, and had left a widow, Alice, and several children<sup>1</sup> surviving. William Lea had apparently also terminated his "unthriftie" career, in all probability unmarried, for he is not once named; and John, the youngest son, was the devisee of all her lands and hereditaments whatsoever, and was appointed her sole executor, her sons-in-law William Collyns of Kingsnorton and William Field being overseers.

John Lea succeeded accordingly to the Grange estate. His will, in which he leaves "Hales Grange and lands" to his eldest son William, is dated 5th Nov. 1657, and that of his widow Anne, June 6th 1685. Of the former Anne his widow was sole executrix, and his "loving brother Robert Tibbotts" and his "loving cousin Edward Field" overseers. Anne died about 1690, in which year her will was proved at Worcester by Eleanor Lea, her daughter and sole executrix.

The names, marriages, &c. of the eight children of John and Anne Lea are fully set out in my paper, pp. 213-4, but several baptismal names are omitted, which I will now supply.

Joice, their eldest daughter, was the wife of *Humphrey Lowe*,<sup>2</sup> of *Warley-Salop, Halesowen*. Joice Lowe, the daughter, was married to *Robert Neale of Hatton, co. Warwick*, and there were two other daughters not named in my previous paper, viz. *Mary Lowe*, unmarried in 1711, and *Anne Lowe*, married first to *Richard Edwards of Budbrooke, co. Warwick* (by whom she was mother of *Rebecca Edwards* mentioned in *William Lea's will 1701*), and secondly to — *Kennett*.

*Anne Lea* was the wife of *Thomas Palmer of Lappall, Halesowen*;

"... ll'. Capitall'. Senescalli. de. Kingsnorton. pr. . . ." No such coat is recorded to the name in *Burke's General Armory*. The manor then belonged to the Queen Consort.

<sup>1</sup> These appear to have been *William, Thomas, Richard, John, and Alice*, the three last being then under age. She also mentions six of her god-children, to each of whom she gives "tow shillinges a-peice;" viz. *Thomas Littlton, Joyce Wight, Rebecca Matther, Mary Robertson, Joyce Jervise, and Agnes Underhill*.

<sup>2</sup> In 1652 *Humphrey Lowe, gent.* held one croft called "Fisher's Croft" in *Warley-Salop*. It appears from the pedigree of *Lowe of the Lowe*, given in *Nash's History of Worcestershire*, and compiled, I believe, by *Bishop Percy*, that *Joshua Lowe of Birmingham*, son of *William Lowe*, and grandson of *George Lowe of Warley-Wigorn, Halesowen*, married *Elizabeth*, daughter and heiress of *Arthur Lowe of the Lowe*. *Joshua* was born in 1677 and died in 1750.

Mary, of the Rev. *John Birch* ; and Bridgett of *Samuel Benton* of *Kingsnorton*.<sup>1</sup>

Of the two daughters of *John Lea* by *Mary Deeley*, *Anne* the elder was married about 1705 to *Alan Garway, jun.*, and *Margaret* the younger to *John (?)*<sup>2</sup> *Shenstone*, probably the *John*, son of *John* and *Mary Shenstone*, to whom and his sister *Mary William Lea* left "50s. a piece" in 1701.<sup>3</sup>

In what way these persons were related to *the Poet WILLIAM SHENSTONE*, who resided at the *Leasowes* in the same parish, I have not yet been able to discover.

The Poet was a personal friend and one of the witnesses to the will of *Ferdinando Lord Dudley*. He was born on 18th Nov. and baptized at *Halesowen* on 6th Dec. 1714, and died at the *Leasowes* on 11th Feb. 1763, æt. 48. He had a brother *Joseph* of *Bridgnorth*, brought up as an attorney, but who never practised; he died 30th Nov. 1751, aged 39, and was buried at *Halesowen*.

They were the children of *Thomas Shenstone* (younger brother of *Joseph Shenstone* of *Illey*) by *Anne* eldest daughter and co-heiress of *William Penn* of *Harborough Hall*; and grandchildren of *William Shenstone*, who possessed a small estate at *Illey*, and who purchased the farm called the *Leasowes*, afterwards the decorated and much-admired paradise of his famous grandson.

*William Shenstone* the grandfather died in 1724, and *Thomas* the father in 1726. *Mr. Scott*, in his *History of Stourbridge and its Vicinity*, 1832, informs us that *Perry Hill* in *Warley-Wigorn* was once the residence of *John Shenstone*, "a distant relation of the Poet." p. 232.

Yours truly, H. SYDNEY GRAZEBROOK.

P.S.—*John Green, Esq.* of *Halesowen*, one of the coheirs of *Dudley*, died unmarried on 30th July 1869, aged 81.

*Stourbridge, May 1870.*

<sup>1</sup> Their daughter *Anne Benton* was in 1711 the wife of . . . *Palmer*.

<sup>2</sup> *John Shenstone* of *Warley-Salop* and *Margaret* his wife sold a piece of land at *Halesowen* in 1710 to *Joseph Brettle*, apothecary.

<sup>3</sup> *William Shenstone*, on 15th July, 1702, acknowledges to have received of "Mr. *John* and Mr. *Thomas Lea*, ex'ors to *W<sup>m</sup> Lea, Esq.* deceased, y<sup>e</sup> sum of five pounds in full of 2 legacies given by y<sup>e</sup> said *William Lea's* last will and testa't unto *John* and *Mary Shenston*" for the "only use of the said *John* and *Mary*."

## ANI BORO.

(Vol. V. page 530.)

*To the Editor of THE HERALD AND GENEALOGIST.*

Sir,—Not in the spirit of controversy, but with the desire of arriving at the truth and of inducing some learned contributor to your pages to respond to your invitation of assistance (p. 534), I again address you on the vexed question of ANI BORO.

In the note <sup>2</sup>, p. 530, which you have appended to my last letter, you state that in the engraving by J. and H. Storer of the monument of Sir William Weston in Cromwell's *History of Clerkenwell*, ANY BORO has been altered to SANE BARO. This is not the case in my copy of that work, the preface of which, signed by J. and H. S. Storer, is dated Pentonville, 1st March, 1828, and in which, facing page 188, is the engraving in question. The ribbon beneath the shield bears the words ANY BORO most distinctly incised, but a small curved mark like the upper portion of the letter S may be found, if sought for, before the word ANY. This, with the aid of imagination, might be converted into the perfect letter, and would then make the motto read SANY BORO, but I have failed to meet with any engraving of the monument in which SANE BARO appears, and Cromwell moreover records with scrupulous exactness that the motto sculptured on the tomb was indeed ANY BORO, although he considers that it should have been SANE BARO, and that "the difference may have arisen from the sculptor's ignorance."

A larger and earlier outline engraving by Schnebbelie dated 1787,<sup>1</sup> in which the hand of the artist has been more steady or less under the influence of a foregone conclusion, and the illustrations given in Pinks's *History of Clerkenwell*, page 265, and in the *Herald and Genealogist*, vol. iii. p. 440, all represent the motto ANI BORO distinctly and correctly, although the first and fourth quarters of the shield, viz. *Ermine, on a chief azure five bezants*, are not accurately rendered.

You do not agree with me that it was foreign to the subject of my last letter to consider whether SANE BARO was the official motto of the Lord Priors of St. John at Clerkenwell; but, as you evidently misunderstand me, I will state more clearly, if possible, all that I intended to convey. I desired to establish one point only, namely that, as recorded three centuries and a half ago in a "Description of the Standards borne in the Field by Peers and Knights in the Reign

<sup>1</sup> Published in Malcolm's *Londinium Redivivum*, vol. iii. p. 212.

of Henry VIII." the motto ANI BORO appertained to a member of the family of Weston who was not a Knight of St. John, and that unchanged and unwarped, although Anglicised, it had in its own proper form a definite, intelligible, and appropriate signification when in the Holy Land it was first adopted by Sir Hugh de Weston.

To this I added the expression of my conviction that ANI BORO has no connection whatever with SANE BARO, whether SANE BARO was or was not at any period the official motto of the Lord Priors of St. John at Clerkenwell.

But, although in my last communication I purposely forbore from entering upon anything beyond the Weston motto, I may now be permitted to add a little regarding SANS RORO, SANE BARO, SANT BORO, and SANCTE BORO, referred to in your very interesting comments.

They are doubtless, as stated, different forms of the motto of Thomas Docwra, Lord Prior of St. John's A.D. 1504, and I am constrained to allow that each and all of them subjected to the due Procrustean process of adaptation may with the addition, suppression, or alteration of a letter or two be transformed into orthodox Latin or most approved vernacular. Leaving, however, their harmonization and interpretation to those learned in riddles, I will but venture to hint that many *mots*, mottoes, and legends, the birth of subtle fancy or sheer caprice, forming some anagram or containing some rebus, were adopted originally on the spur of the moment, and conveyed some covert meaning not easily penetrated save by the initiated; and the lapse of centuries I submit has not tended to remove the difficulty.

As to the motto of the Knights Hospitallers, it was assuredly "Pour la Foy" or "Pro Fide," and I have yet to learn that the Lord Prior of the Order in England or the chiefs of the other Langues used *ex officio* any other.

If it could, however, be for a moment allowed that ANI BORO was the official motto of the Lord Priors of Clerkenwell, and that, derived from the Syriac, its meaning is as I have stated it to be, it would follow that Sir Richard Weston, a knight of ancient lineage, although not a Knight Hospitaller, who was the elder brother of Sir William Weston, Lord Prior A.D. 1540, and nephew of Sir John Weston, Lord Prior A.D. 1477, and of Sir William Weston, Knight of Rhodes and Turcopolier temp. Edw. IV. had appropriated<sup>1</sup> a motto to which

<sup>1</sup> We did not regard the appropriation so seriously; but imagined that some herald or other person unconnected with the family had inadvertently mistaken as a family motto what was really the official motto of Sir William Weston as Lord Prior, and was thus led to conclude that it also belonged to Sir Richard Weston.—(EDIT. H. & G.)

he had no right, and which belonged to the most distinguished body of gentlemen in Christendom—conduct worthy only of those who in the nineteenth century respond to the invitation of advertisements in the morning newspapers, and send name and county and six shillings' worth of postage stamps for "crest and motto in heraldic colours"; but we find from the records of the College of Arms that Sir Richard Weston bore ANI BORO on his standard in the field temp. Hen. VIII. and the heralds would scarcely have given their official sanction to a barefaced assumption even had the knights permitted it. Let us dismiss, then, as incredible this utterly untenable hypothesis.

It was a strange conceit of Sir Hugh de Weston to adopt the death-cry of an adversary, and nothing could account for the eccentricity but the facts that the Saracen was an emir of great distinction and that Sir Hugh lived in the thirteenth century; but the story would be singularly unworthy of credit and the motto entirely inapplicable if, removed from individual prowess and romance, it were connected with a body of warriors—the Knights of St. John of Jerusalem.

Shall we make a reservation in favour of its fitness at one period of their history, namely, during the last hours of Sir William Weston, Lord Prior of the English Langue of the order at its suppression by Henry VIII.? This brave old chief, who commanded in person the English defences at the siege of Rhodes, and who is handed down to us as one of the most celebrated knights of the age in which he lived, could not survive the dissolution of his order, but, as Weever quaintly tells us, soul-smitten by sorrow, was himself dissolved by death. His heart-broken cry may indeed have been "I am sped," "ANI BORO." W.

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### SANE BARO V. ANI BORO.

*To the Editor of the THE HERALD AND GENEALOGIST.*

SIR,—A great deal has been written in attempted explanation of the enigmatical motto found in several places in England in connection with the Knights of St. John of Jerusalem. The last attempt of the kind, with which I am acquainted, has appeared in an article signed W. printed at p. 530 of your fifth volume. Having now some fresh evidence on the subject which may possibly lead to a satisfactory interpretation, I hasten to communicate that evidence to you.

No explanation hitherto offered has been satisfactory to my mind, and the least satisfactory explanation to me is that of your correspondent to whose letter I have referred.

It will be remembered that in the first place W. assumes that the reading ANY BORO, in which form the motto is stated to have stood on

the monument to Sir William Weston at Clerkenwell,<sup>1</sup> is the correct version, and in the next place he endeavours to show that the motto was personal and belonged to the Westons, and not to the Priors. He then suggests that the words are Syriac, and signify "I go;" and supposes them to have been uttered originally by a Saracen slain by a crusading Weston.

In your own note to W.'s communication you give instances of the occurrence of what seems to be the same motto, first, under the form *SANS BORO*, occurring at Clerkenwell with the name of Thomas Docwra (Lord Prior in 1504), a predecessor of Prior Weston; secondly, as *SANE BARO*, also with Docwra's arms, at Temple Balsall, in Warwickshire, and again as *SANCTE BARO* at Dynmore, in Herefordshire.

Now, although no two of these readings precisely agree, it will be seen that all three make the first syllable of the first word *SAN*, not *AN*, so that (assuming all three to be *variants* of the same motto) the weight of the evidence is entirely against W.'s reading.

In looking over one of the volumes of the Rev. W. Cole's *Cambridgeshire Collections* (Addit. MSS. Mus. Brit. 5810), which comprise church-notes and memoranda for most of the parishes in that county, I came upon a description of the chapel and manor house of Shingay, which was anciently a preceptory of the Knights Hospitallers.

The hall of the old house had contained a good deal of painted armorial glass, notes of which had been made, first by the Heralds in the Visitation of Cambridgeshire, 1684, and again by Mr. Layer, a local antiquary of the generation preceding Mr. Cole. These authorities, as quoted by Cole, record the existence of three shields, with the blazon of which I need not trouble you further than by saying that each bore the "chief of religion" (gules, a cross argent), that one of the coats surmounted thereby was that of Docwra, and that the arms of Weston were not among them.

Each of these was accompanied by a scroll placed obliquely, and bearing the legend

SANE THELE OTHEOS.

And these words were, according to Layer, very frequently repeated in the glass of the hall, that is, elsewhere than in connection with the three shields.

Cole visited Shingay in 1747. At that time one scroll alone seems to have remained in the windows of the old hall. He has given the legend from this in precisely the same words and letters as the Heralds and Layer.

<sup>1</sup> See *Herald and Genealogist*, iii. 440.

Here, then, we have a new motto set up in a preceptory of Hospitallers after 1504, of doubtful meaning, but beginning certainly with the word SANE.

I think that we are warranted in saying that this circumstance very strongly confirms the accuracy of the reading of SANE at Clerkenwell and elsewhere in preference to ANY, SANS, or SANCTE.

If so, the Syriac interpretation falls to the ground.

If so, again, the interpretation which makes SANE BARO Latin, signifying "Truly a Baron," in allusion (far-fetched I have always thought it, and the use of SANE not very like Latin of the time,) to the political position of the Prior of St. John's, must also, I would submit, be abandoned. For each motto, comprehended as both are in two and three words respectively, must be taken *primâ facie* to be in the same language throughout. THELE OTHEOS is not Latin; therefore SANE cannot be Latin; and if not, then BARO is not Latin either.

We have now two puzzles instead of one. I confess that I can solve neither. But, if my premiss as to the identity of SANE in both mottoes be admitted, it will follow that no interpretation of that word in either case can be satisfactory unless it answers equally well in the other case.

*Davus sum non Œdipus.* I leave guessing to others. It has no doubt struck you that THELE OTHEOS is very good Greek—*θελῶ ὁ θεός*. But SANE is not Greek.

I am, Sir, your obedient Servant,

C. S. PERCEVAL.

*Postscript.*—Since writing the above my attention has been called to the fact, that in the Harleian List of Standards, printed in *Coll. Top. and Gen.* iii. 63, the motto "Saue thele Otheos" is given as on the Standard of "M. Scheffeld, Knyght of Roydes." On referring to the List from Heralds' College MS. I. 2, in *Excerpta Historica*, I find at p. 322 "Sir Thomas Sheffeld, Trezoror of Sant Johns," giving the motto in a still more corrupt form, "Save the le Otheos." This induces me to add some particulars as to the glass of Shingay which appeared to me at first immaterial. The words of the Visitation of 1684 (as given by Cole) are as follows:—

In Shingay Hall three coats:

1. The cross above, Sable, a chevron engrailed inter three plates each charged with a pale gules, impales, Argent, a bugle-horn inter three griffon's heads erased sable. *Greene*, impaled by *Docwra*.<sup>1</sup>

<sup>1</sup> What this impalement means is a distinct question. The two coats so marshalled were on the Clerkenwell Gate.

2. The cross and four coats below it: 1 and 4, A chevron inter three pheons; 2 and 3, A cross.

3. Gules, the cross argent; under it, 1 and 4, A chevron inter three garbs; 2 and 3, Azure, fretté argent, and on the sides of each of them is wrote obliquely, *Sane Thele Otheos*.

The third coat belongs to Sir Thomas Sheffield, who was Great Steward of Rhodes and Preceptor of the Preceptory of Shingay. He appears to have been alive in 1522, and then to have rebuilt either Wendy church or Shingay chapel, or both,<sup>1</sup> and may very likely have set up the windows.

Your correspondent W. will no doubt say, and quite fairly from his point of view, this only proves that there were *three* distinct mottoes:

1. ANI BORO, belonging to the family of Weston.

2. SANE BARO, used by Docwra.

3. SANE THELE OTHEOS, used by Sheffield.

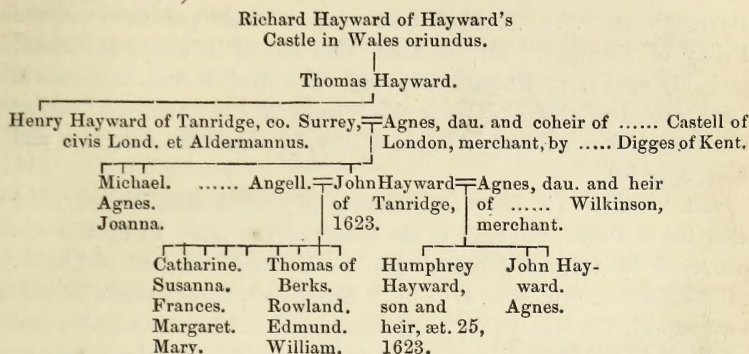
Now, I am not prepared at present to admit that No. 1, even if used exclusively or at all by the two Westons (which I do not think is proved as yet), belonged to them by descent; but, supposing that there were, in fact, *three* distinct mottoes, all three were used by Knights of St. John, and all three are linked together by words common to the two first and the two last. Uniformity of interpretation I still think must be required.

## PEDIGREE OF HAYWARD OF SURREY AND KENT.

In confirmation of the remarks in the present volume of *The Herald and Genealogist* (p. 254) on the unreliableness of some of the pedigrees in the *Heralds' Visitations*, I produce one, hitherto unprinted, from the Visitation of Surrey, 1623, which, as tested by deeds, in the earlier generations is manifestly wrong. And in this case the error does not arise from any erroneous inference or affiliation on the part of the visiting herald, but from information evidently furnished by the head of the family then living. This person does not seem to have known the name of his own grandfather, an ignorance not uncommon indeed at the present day, where personal knowledge has not existed, and traditional knowledge is uncertain, or has not been preserved. Whether the statement that the family came from Wales was a family tradition, or was conjecturally added by the herald, does not of course appear, but in either case it was probably unfounded, as inconsistent with another origin mentioned below, and of far greater likelihood.

<sup>1</sup> See the same volume of Cole's Collections, f. 119.

The pedigree, as given in the Visitation, is as follows (Addit. MSS. Brit. Mus. 4963) :—



The following memorial from Thorpe's *Registrum Roffense* (p. 1029), in Westerham church, probably supplies an ancestor of the family. The parishes where branches of the family lived are all contiguous to Westerham, viz. Oxted, Tanridge, Tattesfield, Warlingham, and Chiddingstone :—

"On a gravestone at the entrance of the middle aisle is the effigies of a man in brass, that of his wife is lost, with this inscription in black letter :—

*"Orate pro animabus Ricardi Hayward et Anne uxoris ejus qui quidem Ricardus obiit nono die Decembris, anno domini Millesimo cccc° vicesimo nono. Quorum animabus propicietur Deus. Amen."*

"Beneath were four sons, now lost, which number may be easily discerned by the marks on the stone where the plate of them was inserted; six daughters yet remain."

The following extracts from Manning and Bray's *History of Surrey* supply the materials for correcting and enlarging the Visitation pedigree :—

Art. "Tandridge" (ii. 379). The mansion called Tandridge Hall, with the manors of Garston in Blechingley, Beirsted in Oxted, and Westhall in Warlingham, were sold by — Rede to — Haward; and Tandridge Hall was the residence of that family for some time. 26 Feb. 1613 John Haward, esq. on marrying Elizabeth Watts, settled the above manors on her and his first and other sons, and settled Tandridge Hall and other lands on himself and heirs male. But he afterwards revoked this settlement, and limited Beirsted, Westhall, and Tandridge Hall and other lands to his son John. John the father died in 8 Charles I. 1633, Elizabeth his wife surviving. Feb. 7, 1649, William Haward, then Sir William, purchased John's estate, and made

a settlement on Dame Martha his wife. He had a son of the same name; and in 1681 they all joined in selling their whole estate to John Burrough, esq. . . . . Rooksnest was part of the possessions of the Priory of Tanrigge. Mr. Bostock, who owned it temp. Elizabeth, probably sold it to Richard Hayward, who died 3 Aug. 5 James I. 1608, seized of this and many other lands in Chelsham, &c. leaving Catharine, then wife of William Roffey, yeoman, his daughter and heir, aged 40.

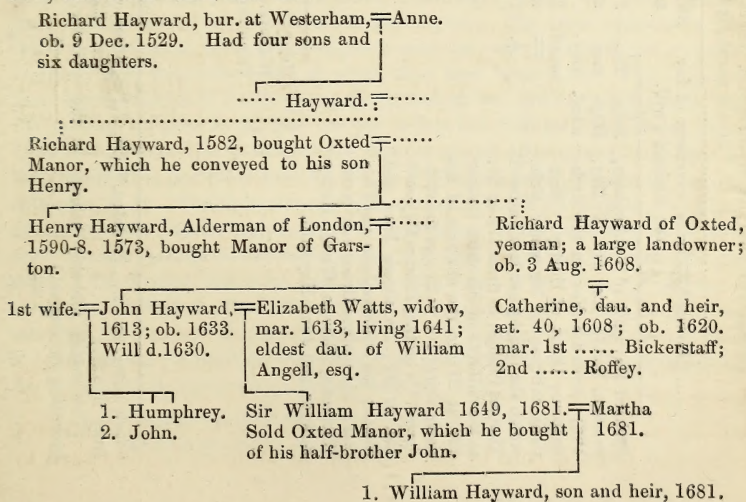
Art. "Oxted" (ii. 387). The manor of Oxted, *alias* Birsted, *alias* Biersted in Oxted, belonged to the Priory of Tanrige. In 1582 it was conveyed by Edward Johnson, esq. to Richard Hayward of Oxted. (Donation MS. Brit. Mus. 4705). 2 September, 32 Elizabeth, he conveyed to his son Henry (*ibid.*), Alderman of London, who held his first court 32 Eliz. 1590, and continued lord in 1598. His son John settled it in 1613, on his marriage with Elizabeth Watts, widow, on her for life, remainder to his heirs, but on account of the conduct of his eldest son Humphrey by a former wife he made a new settlement in 1630, and, after giving his wife a life estate, he limited this manor and Westhall to his son John, who seems by expressions in the deeds to have been by his first wife. He died in 1633, and Elizabeth surviving held her court here 5 Oct. 1641. Sir William Hayward, the eldest son by her, purchased this manor and Westhall of John in 1649, and in 1681 sold it to Burrough.

Art. "Blechingley" (ii. 305). The manor of Garston in this parish was sold by Bartholomew Rede in 1573 to Henry Haywarde. Henry was succeeded by John Hayward his son, who on 26 Feb. 1613 settled this, amongst other estates, on his marriage with Elizabeth Watts, widow, eldest daughter of William Angell, esq. He made a will, dated 1 July 1630, to exclude his undutiful and unthrifty son Humphrey from any part of his estate. But the more effectually to do this he by deed 10 Sept. 1630 settled the reversion of the manor of Garston and certain lands, after the deaths of himself and his wife Elizabeth, on William his eldest son by Elizabeth; and the manors of Burstled and Westhall on his son John, being his second son by his first wife, remainder to his son the said William, declaring that he meant to exclude his son Humphrey (who must have been born of a former wife), who was by birth his eldest son and heir, on account of his disobedience, undutifulness, and great debts, by which, if anything descended to him, it would go to others; but he settles on him an annuity of 20*l.* for life. John, on whom this estate was thus settled, seems also to have been by the first wife, as William is mentioned to

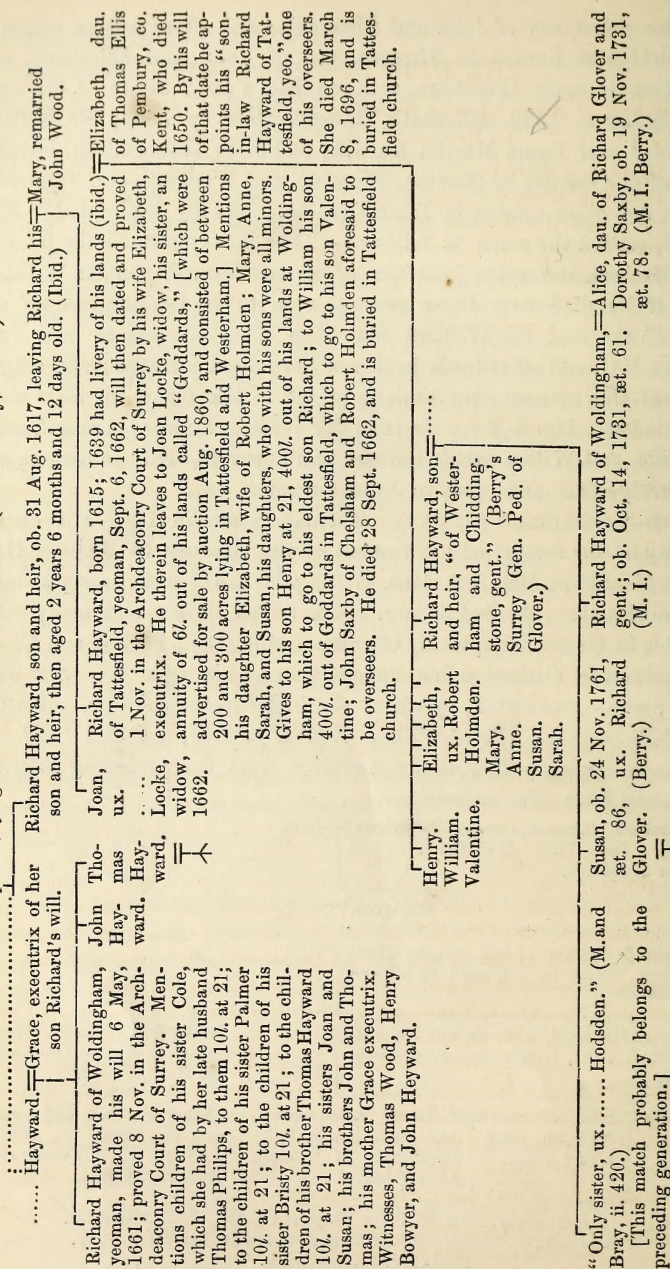
be the eldest son of John and Elizabeth; and afterwards an estate at Tandridge is limited to Thomas, son of John and Elizabeth, and mention is made that John the son had a good estate of his own. Hilary Term, 1649, Elizabeth Haward, relict of John, Sir William Haward and Dame Martha his wife, and John Haward, esq. levied a fine of the manors of Garston, Biersted, and Westhall, and Tandridge Hall, and other estates in Tandridge, &c.; and by deed dated 7 Feb. 1649, settled the same as follows:—They first confirmed the jointure of Elizabeth during the joint lives of her and her said son Sir William; but if he died first those estates were to be the jointure of the wife of the said Sir William, and then Elizabeth was to have Tandridge Hall and other lands in lieu of her former jointure; and subject thereto the manors were limited to Sir William and his heirs male, remainder to him in fee. In 1681 Sir William Haward, Dame Martha his wife, and William their son and heir apparent, sold the manors and Tandridge Hall and lands to John Burrough, esq.

Art. "Godstone" (ii. 333). Thomas Heath in 1592 alienated a moiety of the rectory and advowson of the vicarage to Richard Hayward (Donation MS. Brit. Mus. 4705), who in the next year presented to the church. He died 3 Aug. 1608, seized of this and many other estates in Oxted, Limpsfield, Crowhurst, Lingfield, Farley, and Chels-ham, leaving Catharine his daughter and heir, aged 40. She married first — Bickerstaff, by whom she had several children, and afterwards became the wife of William Roffey, yeoman, and died 1620.

The following pedigrees are compiled from the preceding information, and from other sources:—



Richard Hayward of Woldingham, yeoman; in 1589, bought of William Gresham, esq. the manor of Nether Court Lodge, in that parish, lying in W. Chelsham and Oxted. (M. and Bray, ii. 420.)



April 11, 1870.

W. S. E.

## THE HERALDRY OF SMITH.

A Book of y<sup>e</sup> Armes of most Houses of y<sup>e</sup> Smithes in England and Germanie.  
By Hammer and Hand All arts do stand.

The Heraldry of Smith, being a Collection of the Arms borne by, or attributed to, most Families of that surname in Great Britain, Ireland, and Germany: compiled from the Harleian MSS. and other authentic sources, by H. SYDNEY GRAZEBROOK, Esq. of the Inner Temple. London: John Russell Smith, 36 Soho square. 1870. Small 4to. pp. xix. 119. Plates 32, and a Dedication-plate to Ferdinando Dudley Lea-Smith, Esq. of Hales Owen Grange, Senior Coheir to the Barony of Dudley. (*Price 15s.*)

The idea of this compilation is not new; it was in fact compiled in the seventeenth century, but when or by whom has not been ascertained; nor is the original MS. known. There are two copies in the Harleian collection, and one in the College of Arms; and incidental notices of others occur.<sup>1</sup> The present Editor has made use of the two former, which for the greater part correspond, except that No. 7578 contains only 94 escutcheons, all handsomely painted; whilst No. 3526 contains 125, mostly painted, but some in trick. From the latter the lithographic plates have been copied, accompanied by a few addenda. But the Editor's review altogether comprehends the armorial bearings of some 250 families of this surname; and he has arranged his illustra-

<sup>1</sup> Two of these are in the College of Arms. One, which came with the MSS. of Edward Duke of Norfolk, and once belonged to John Warburton, Somerset Herald, is mentioned by Mr. Grazebrook in his preface, p. xiv. It is bound in two small octavo volumes, one of which contains trickings of about 100 Smith coats and memoranda of more; the second volume has only two. The other collection is contained in Philipot P. b. 7, and corresponds with that now published, but contained originally only forty other coats, to which three have been added. This copy commences with the coat of Smith of Cuerdley in Lancashire; and suggests the probability that the first compiler of the Roll was the industrious William Smith, Rougedragon 1603-1618, who is known to have put together several other armorial manuals; for Rougedragon was descended from the Smiths of Cuerdley, as Mr. Grazebrook has duly noticed at p. 10. The Roll now published contains (No. 37) a coat for *John Smith, Herald of Arms*, Checky argent and gules, on a canton of the last a fleur de lis of the first; but it is remarkable that no such Herald is upon record, nor any such coat elsewhere. The Philipot MS. gives some further particulars of the Germans whose arms are given: Michael Smith of Nuremberg was "a merchant," Conrad Smith of the same city, "a Taylor;" the second Conrad also "a Taylor;" whilst Frederick Smith of Luneburg was "a smith by occupation," thus adhering to the ancestral trade which was deserted by so many others; for, as Verstegan asks,

Whence cometh Smith, be he Knight or be he Squire,  
But from the Smith that forgeth at the fire?

tive notes in a very useful and instructive manner, by placing under each shield of the "Booke of Arms" that furnishes his text the "Variations" or derivative coats which have been founded upon it. He has thus formed an exhaustive book of Smith coats—so far as they are known, having consulted all the authorities that have fallen in his way; but he apologises for the word Germany that occurs in his title-page, acknowledging that he has not consulted a German *Wappenbuch*, but has simply retained the title which, on the strength of the insertion of eight *Schmidt* coats, was adopted by the compiler of the collection from which he has derived most of his materials.

It will thus be perceived that Mr. Grazebrook has exercised at once the functions of Editor and Author; and we may justly say that he has exercised them alike with judgment and erudition. In other terms, he has exercised them in a true antiquarian and historical spirit. He may, as he admits, have fallen into errors; but, if he has done so, it is ten chances to one that he has been misled by the professional heralds themselves. "I considered it (he remarks) the better plan to arrange as many of the coats as I could as *primitives*, adding others as *variations* of an original. . . . Such an arrangement will tend to facilitate inquiries into the particular genealogy of any one of these families, it being a well-known practice of the early heralds to vary the Arms of collaterals,—a practice, moreover, which was in vogue among Armigeri themselves before the Corporation of Herald's was established."

English Armory, which, like English architecture, was once so pure and so significant, was in fact spoiled, first by the practice of allowing very minute instead of prominent differences, and next (as Mr. Grazebrook remarks,) by allowing armorial bearings on insufficient evidence to any family that advanced the claim to be descended from an armigerous stock. "And now-a-days (he no less sensibly adds,) a much more to be deplored practice prevails of granting to new candidates for armorial honours a coat of arms founded upon that borne by a family of the same name," whether there be any probability of descent or not. Let us hope that the designers of our coat-armour, like our designers in other arts, may in future be more alive to the merits of originality; for there is certainly no reason why one who may justly boast of being *Faber suæ fortunæ*, should be led by injudicious professional advice *jurare in verba* of any of his name-sakes. It is related of Sydney Smith (in his Memoirs by his daughter Lady Holland) that he adopted the motto (*Faber meæ fortunæ*), but disdained any armorial insignia,—if there was more than his ordinary spirit of banter in the reply which

he made to "a pompous little gentleman" (was this the late Rev. William Phelps the county historian?) who called to obtain his arms for insertion among the distinguished families of Somersetshire. "I regret, Sir, (he replied,) not to be able to contribute to so valuable a work; but the Smiths never had any arms, and have invariably sealed their letters with their thumbs!"

Be this as it may, a very elaborate coat is now quartered for Smith by the Canon's nephew Lord Lyveden: viz. Gules, three bars gemelles argent, a chevron ermine, on a chief of the second three blackamoor's heads proper; a canton of the field, charged with a battle-axe or; all within a bordure counter-componé of the second and azure. Crest, a cubit arm erect in armour proper, charged with a battle-axe sable, the hand grasping two wreaths of laurel pendant on either side, also proper.

We should add that Mr. Grazebrook has appended a table of sixty various mottoes of Smith, among which (besides that of the witty Canon,) are *Arte et labore* and *Smite, quoth Smith*, the latter however, only mentioned by Mr. Lower, and not distinctly appropriated. Mr. Grazebrook has also supplied a serviceable index, including local names under their respective counties.

Altogether, we feel that this is a book, which, in its limited sphere, will be a standard work, and an example, besides, for others on the same plan. We could make many interesting extracts, if our pages were at liberty, instead of pre-engaged: and we are saved the space that minute criticism would occupy by finding nothing to find fault with, and (at present) nothing to add.

### HERALDIC CHRONICLE FOR 1869.

[The plan upon which this Chronicle is compiled is set forth in our Vol. II. p. 363. It does not undertake to record merely personal honours; but is confined to the Creations, Revivals, and Extinctions of Hereditary Dignities; the Extinctions of Ancient Families; Changes of Surname and Arms; the deaths or promotions of Heralds, with brief biographical notices of them and of other eminent Genealogists.]

*Jan. 6.* Created a BARONET, the Rt. Hon. Maziere *Brady*, of Hazelbrook, co. Dublin (late Lord Chancellor of Ireland).

*Jan. 9.* Peerages both of Ireland and of the United Kingdom became extinct on the death of Percy Ellen Algernon Frederick William Smythe, eighth VISCOUNT STRANGFORD of Strangford, co. Down, and third BARON PENSURST of Penshurst in Kent. This family of Smythe owed their rise to the well-known Customer Smythe, who raised a large fortune as farmer of the customs in the reign of Elizabeth, and seated himself at Westenhanger in Kent, which has from that time continued the residence of his descendants. His grandson Sir Thomas Smythe, K.B. married Lady Barbara

Sydney, a daughter of the first Earl of Leicester of that family, and niece to the gallant Sir Philip,—whence the names of Philip and Philippa ever since maintained by the Smythes. Sir Thomas was created a Peer of Ireland by the title of **VISCOUNT STRANGFORD** in 1628. His son and successor Philip the second Viscount married another Sydney, his cousin the Lady Isabella, but she was not the mother of his heir, but his second wife Mary Porter, a grand-daughter of the well-known Endymion. Percy-Clinton-Sydney the 6th Viscount, within our own recollection, earned a peerage of the united kingdom by his diplomatic services: and he was created **BARON PENSHURST** in allusion to his descent from the Sydneys—not without some repining on the part of Sir John Shelley Sidney, Bart. then lord of Penshurst, and whose son Percy Charles (a son-in-law of King William IV.) was a few years after advanced to the peerage as Lord De Lisle and Dudley of Penshurst. The sixth Lord Strangford was well known for his historical and genealogical tastes as well as for his early poetic efforts as the translator of Camoens. He left two surviving sons, who have since inherited the title, the last surpassing his father in literary fame.<sup>1</sup> Both have died childless.

*Jan. 14.* This day the Most Noble Henry FitzAlan, Duke of Norfolk, took the oath of **EARL MARSHAL**, before her Majesty in Council at Osborne House, I.W.—having attained his majority on the 27th Dec. 1868.

*Jan. 15.* Sir **HENRY ELLIS**, K.H. F.R.S. and F.S.A. (formerly Principal Librarian of the British Museum, for forty years Secretary to the Society of Antiquaries, and subsequently its Director,) died at his house in Bedford-square, at the advanced age of 92. Devoted through life to historical and antiquarian pursuits, Sir Henry's literary labours were very numerous. It is necessary only to allude generally to his *Introduction to Domesday Book*, his editions of Dugdale's *Monasticon* and *History of St. Paul's Cathedral*, of Brand's *Popular Antiquities*, and of various old Chroniclers. More particularly should be mentioned in this place his earliest work, *The History of Shoreditch and Norton Folgate*, published in 1799: and *Camden's Visitation of the County of Huntingdon, made in 1613*. The latter was reviewed in our vol. ii. p. 199. In the introduction prefixed to his *Letters of Eminent Literary Men* (also printed for the Camden Society, 1843) and again in that of the Huntingdonshire Visitation, Sir Henry Ellis made some valuable additions to the biography of Camden, as a Herald as well as a Topographer. The *Obituary kept by Richard Smyth from 1627 to 1674*, edited by Sir Henry for the Camden Society in 1849, is another book very useful to genealogists. A further account of his works will be found in *The Register and Magazine of Biography*, vol. i. p. 201; his will at p. 356; and the sale of his library at p. 525. Of his family,

<sup>1</sup> A memoir of the late Lord Strangford will be found in *The Register and Magazine of Biography* for Feb. 1869, p. 107. His widow (the youngest daughter of Admiral Sir Francis Beaufort, K.C.B.) has since edited "The Selected Writings of Viscount Strangford on Social, Political, and Geographical Subjects." In two vols. 8vo. with a portrait.

which was of Dewsbury in Yorkshire, there are notices in Mr. W. S. Ellis's *Notices of the Ellises*, pp. 61, 144, 280.

The arms of Sir Henry Ellis's brother, the late Rev. John Joseph Ellis, M.A. F.S.A. Rector of St. Martin Outwich, and formerly Second Master of Merchant Taylors' School, are placed in a window of Sion College (of which he was sometime President) as follows: Or, on a cross party per pale sable and gules five crescents ermine, on a canton azure a cross or. Crest, A griffin sejant supporting a fire-beacon. Motto, NON HÆC SINE NUMINE. Sir Henry's shield was differenced by the charge on the canton being a staff in bend or, tipped sable. This was in allusion to his having officiated at the Coronation of George IV. as one of the Earl Marshal's gold-staff officers. His motto, ESPERANCE.

*Feb. 4.* A Baronetcy of Nova Scotia became Extinct by the sudden death of Sir Charles SLINGSBY, the ninth possessor of a dignity which was conferred in 1638 on his ancestor Sir Henry Slingsby—who was beheaded twenty years later (together with Dr. Hewitt, on Tower hill) for an unsuccessful attempt in favour of Charles II. Sir Charles was the last representative of the male line of his family: and whether any younger branches now remain we are not informed.<sup>1</sup> The family assumed the arms of Scriven (Gules, a chevron between two leopard's heads in chief and in base a hunting-horn argent—as Forester of Knaresborough) on marriage with the heiress of that family in the fourteenth century.—(See under *April 9*.)

*Feb. 5.* John Whitaker, of Caldewell and Pershore, both in the parish of Holy Cross, co. Wore. esq. in compliance with the will of Jane Bennett of Pershore widow, takes the name of WILSON after Whitaker.

*Feb. 9.* The Rev. GEORGE HENRY DASHWOOD, M.A., F.S.A., Vicar of Stow Bardolph, and Rector of Wimbotsham, Norfolk, died in his 68th year. He printed, at his private press, two works that we ought here to specify: 1. *Vice-Comites Norfolciæ*, or Sheriffs of Norfolk, from the first year of Henry the Second to the fourth of Victoria inclusive, chronologically and alphabetically arranged, with their armorial bearings. 1844. 4to. See this further described in our vol. ii. p. 540. 2. *Sigilla Antiqua* from the Muniment-room of Sir Thomas Hare, Bart. of Stow-hall, of which we have given a full account in our vol. iv. pp. 410—424. In 1859 Mr.

<sup>1</sup> Sir Anthony Slingsby, (sometime Governor of Zutphen,) of a junior line (being second-cousin to Sir Henry's father) had been created a Baronet in England 23 Oct. 1628. He died in 1630, when that dignity became extinct. Kimber (*Baronetage*, 1771, iii. 354) erroneously gives the date Oct. 23, 1628, as that of the Nova Scotia baronetcy. The dignity of Baronet was conferred on two others of this family: 1. On Sir Arthur Slingsby in 1657; extinct with his son Sir Charles; 2. On Sir Robert Slingsby, of Newcells, co. Herts, in 1660-1, who died in the same year, s. p.

Sir Charles Slingsby was drowned with five other persons by the upsetting of a ferry-boat on the river Ure, when following the fox-hounds of which he was master. (See *The Register and Magazine of Biography*, vol. i. p. 199.) It is remarkable that the eldest son of the Slingsby family (Thomas, uncle to the first Baronet,) was drowned in the river Nidd, while endeavouring to save a servant,—in 1581.

Dashwood exhibited to the Society of Antiquaries a roll entitled *Magnus Annulus*, a sort of calendar, extending from 1286 to 1817, and containing various genealogical notices of the Hare family, some of them in the handwriting of Robert Hare the antiquary, who died in 1611. (See the Society's *Proceedings*, I. iv. 258.) A remarkable article on the family of Hare of Stow Bardolph, and the ancestry of Lord Listowel, was contributed by him to the present work, vol. ii. pp. 473—487.<sup>1</sup> He made many communications to the Norfolk and Norwich Archæological Society, which are printed in its *Norfolk Archæology*, and among them, in vol. iv. notes on a pedigree of Gawsell, and in vol. v. notes on a pedigree of Shulldham written in the reign of Henry VI. He undertook in 1863 to edit the *Pedes Finium* for Norfolk, but only 16 pages were printed. With Joseph Jackson Howard, LL.D. F.S.A. he was engaged in editing the earliest *Visitation of Norfolk*, by Harvey Clarenceux 1563; as noticed in our vol. ii. p. 203. Twelve copies were specially printed in 4to. at his own expense. He had also printed (twelve copies of) a selection of pedigrees from the last *Visitation of Warwickshire*, in 1682, of which we give the names: Archer, Cookes, Coventry, Dakins, Dugdale, Eborall, Farmer, Fisher, Gibson, Greville, Holbeach, Leigh, Norton, Parker, Philips, and Rawlins: also the notes regarding the towns of Warwick and Sutton Coldfield. He printed a series of Fincham pedigrees to illustrate the *History of Fincham* by his friend the Rev. William Blyth, Rector (1863). Other particulars of his antiquarian labours will be found in *The Register and Magazine of Biography*, vol. i. p. 311. His valuable genealogical collections in MS. are now in the possession of Captain Lytton Bulwer of Quebec house, East Dereham. It is hoped that the Rev. William Grigson, Rector of Whinburgh, a local genealogist of repute, will continue the Norfolk Visitation in conjunction with his friends Mr. Carthew and Mr. J. J. Howard. We may add that a full account of Mr. Dashwood's own family is contained under the heading Peyton in the *Visitation of Suffolk* printed by Mr. Tymms of Lowestoft.

March 9. Sir JOHN PETER BOILEAU, the first Bart. of Ketteringham in Norfolk, F.R.S., and a Vice-President of the Society of Antiquaries, died at Torquay, aged 74. We mention his name here because it was in compliment to him, and at his expense, that *The History and Topography of Ketteringham*, including a full account of the family of Boileau, was printed in 4to. 1851, having previously appeared in the Transactions of the Norfolk and Norwich Archæological Society. It was compiled, with characteristic skill, by his friend the late Joseph Hunter, V.P.S.A. the historian of South Yorkshire. A good memoir of Sir J. P. Boileau was given in *The Register and Magazine of Biography*, vol. i. p. 292, and his will, vol. ii. p. 52.

(To be continued.)

<sup>1</sup> The muniment-room at Stow Bardolph was built under the direction of Mr. Dashwood, and the arrangement of its contents, amounting to many thousand deeds, &c. carried out by him. A detailed catalogue of the whole series has been made.

## NOTES AND QUERIES.

## WESTON FAMILY OF LINCOLNSHIRE.

William Weston is mentioned as an inhabitant of Boston in 1333 and Thomas Weston in 1377. In 1400 (2 Hen. IV.) John Weston obtained a charter to hold a market and fair in Burgh le Marsh. This John Weston had a grant of free warren in Burgh le Marsh in the same year. From 1477 to 1491 Sir John Weston was Lord Prior of St. John of Jerusalem, and so was Sir William Weston from 1519 to the dissolution of the order, and this Sir William Weston was the son of Edmund Weston of Boston.

The families of Weston and Dingley or Dineley were allied, and both had residence in Boston and its neighbourhood. Some of the Dineleys were Knights of Malta. In an old map of Wainfleet of the date of 1640, executed by a Mr. Manning and in possession of a respectable farmer there, is a large tract of land to the north of Wainfleet, lying between that town and Burgh le Marsh, with "Earl of Portland's" printed on it. The possessor of it then was probably Jerome Earl of Portland, son of the Lord Treasurer Weston. He was married (you know) to the Lady Frances Stuart, daughter of the Duke of Lenox, at Roehampton by Archbishop Laud, and their nuptials were celebrated by Ben Jonson in a poem.

It appears highly probable to me that the early ancestors of the Earls of Portland were located in the vicinity of Boston.

There was a good family of Weston at Somerby, near Brigg, in the same county, seated there for two or three generations. The grandmother of Weston Cracroft Amcotts, M.P. for Mid-Lincolnshire, was of the Somerby family.

*Friskney.*

THOMAS BARKER.

JOHN COSIN, D.D. Bishop of Durham 1660-1672, is said to have had a sister Mary married to . . . Skinner. (Surtees, *Hist. Durham*, Cosin ped.) Being desirous of ascertaining when and where this marriage took place and of learning further regarding Mr. Skinner, I shall be thankful for any information that can be communicated to me direct. The lady appears to have been baptized at St. Andrew's Norwich, 27th April, 1606, but her marriage does not occur there.

*Doncaster, 7 March, 1870.*

CHARLES JACKSON.

Can any readers of *The Herald and Genealogist* assist me in discovering the parentage of Mrs. Mary Toller, who founded the school at Billingborough in Lincolnshire by deed of gift dated 17th October, 1671? <sup>she</sup> had four husbands: her first husband was Mr. Henry Gorges of Cheshire, who was buried there on 13th May, 1641. Her second husband was Matthias

Brown, M.D. son and heir apparent of Matthias Brown, Esq. of Horbling juxta Billingborough, whom she married by licence dated 2nd May, 1643, being then "aged about 20." She had four children by Matthias Brown, who died in the lifetime of his father about 1657. She married 24th August, 1660, her third husband, John Toller, esq. of Billingborough Hall, who was buried at Billingborough, 15th May, 1669, leaving her with four children by him. She married, 30th October, 1673, her fourth husband, the Rev. William Dillingham, D.D. rector of Woodhill *alias* Odell, Beds, but he died without issue by her . . . November 1689. She died at Aslackby, co. Lincoln, at the house of John Quincy, Esq (the husband of her daughter, Anne Toller), and was buried at Horbling in Brown's Chapel, 21st June, 1690. Her will was proved at Lincoln, 20 May, 1693, but the only relations she mentions besides her descendants are "my cousin Reinalds, my cousin Saunderson, my cousin John Richardson, and my brother Cateline." The last named was the Rev. Jonathan Cateline, vicar of Horbling 1662-1708, and could only have been her "brother" through some connection by marriage, for he is never called a relative by the children of her second and third husband, and he mentions none of them in his will.

TEWARS.

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THOMPSON.—Captain Edward Thompson, R.N. whose MS. journal, 1783-1785, is noticed in the *Cornhill Magazine* for May, 1868, pp. 610-640, died 17th January 1786, aged 40, when commander of the *Grampus*, and commander-in-chief of H.M. squadron on the coast of Africa. Supposed to be from Hull, or Beverley, or that locality. In his journal he speaks of a married "sister Wright," and of his "brother-in-law" and "half-brother Christopher Pryme, of Hull." Any information as to his parentage, or family, &c. will oblige (by direct communication with)

Doncaster.

CHARLES JACKSON.

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SUFFOLK FAMILIES.—A few Separate Copies of the Genealogical Account of the following families (extracted from "THE VISITATION OF SUFFOLKE," edited by DR. JACKSON HOWARD), have been printed separately, on 4to. paper, and may be had on application to SAMUEL TYMMS, 60, High Street, Lowestoft.

CHETHAM FAMILY . . .	1s.	KEMPE FAMILY . . .	1s. 6d.
CLOPTON FAMILY ( <i>none</i> ) . . .		KYTSON AND GAGE FAMILIES . . .	3s. 6d.
COLT FAMILY . . .	2s. 6d.	LUCAS FAMILY . . .	2s. 6d.
CORDELL FAMILY . . .	3s. 6d.	MARTIN FAMILY . . .	3s. 6d.
CRANE FAMILY . . .	4s. 6d.	PAYNE AND GRIGSON FAMILIES . . .	3s.
DANIELL FAMILY . . .	2s.	PEYTON FAMILY . . .	3s. 6d.
EDEN FAMILY ( <i>none</i> ) . . .		POLEY FAMILY . . .	5s. 6d.
FULNET FAMILY . . .	1s.	SMYTH FAMILY . . .	6d.
HERVEE FAMILY . . .	12s. 6d.	SPRING FAMILY . . .	6s.
HOLT FAMILY . . .	2s.	WARBURTON FAMILY . . .	9d.

I.

FAIRFAXES OF WALTON.

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- I. HENRY FAIRFAX,\* had a son John.
- II. JOHN FAIRFAX, had a son Richard.
- III. RICHARD FAIRFAX (A.D. 1205), possessed lands at Askham, near York, in 1205. He had a son William.
- IV. WILLIAM FAIRFAX (A.D. 1212), married Alice, daughter and heir of Nicholas de Bugthorp, and had a son William.
- V. WILLIAM FAIRFAX (A.D. 1249), was Bailiff of York in 1249. He purchased the manor of Walton, near Thorparch, from Peter de Bruce. He married Mary, widow of Walter Flower, a nephew of St. Robert of Knaresborough, and had a son Thomas.
- VI. THOMAS FAIRFAX (A.D. 1283), of Walton, married Agnes, daughter and heir of Henry de Sezevaux, Mayor of York, and had:
  - I. William, died childless.
  - II. JOHN, his successor.
- III. Bego, Treasurer of York Minster. He married a daughter of Sir Roger Mowbray, but had no children.
- VII. JOHN FAIRFAX (A.D. 1303—1312), of Walton, married Claricia, daughter and heir of William Scott and Constance daughter and coheir of Sir Roger Bruce of Walton, by whom he had a son Thomas.

\* Said, on insufficient evidence, to have come from Towcester, in Northumberland (or Shapenbeck?), to have removed thence to Lincolnshire, and finally to Yorkshire.

VIII. THOMAS FAIRFAX, of Walton, married Margaret, daughter of John Malbis, and heir to her brother Sir William Malbis, of Acaster, and had:

- I. WILLIAM, his successor.
- II. Anne, married to . . . . . Martin.
- III. Clare, married to Sir William Malbis.

IX. WILLIAM FAIRFAX, of Walton, married Ellen, daughter of Sir William Roucliffe, of Cowthorpe, and had:

- I. THOMAS, his successor.
- II. John, LL.D.\* Rector of Prestcote.
- III. Margaret, Prioress of Nun Monkton.
- IV. Mary, a nun at Sempringham.
- V. Alice, also a nun at Sempringham.

X. THOMAS FAIRFAX (A.D. 1350), of Walton, married Margaret, daughter and heir of Sir John de Etton, Lord of Gilling Castle, and had:

- I. WILLIAM, his successor.
- II. Thomas.
- III. Guy.
- IV. John.
- V. Richard.

XI. WILLIAM FAIRFAX, of Walton, married, in 1392, to Constance, grand-daughter of Peter, sixth Lord de Malo Lacu (Mauley), and coheir to her nephew Peter, the eighth lord, who held the manors of Bramham, Mulgrave, Doncaster, and Sandall. She married, secondly, Sir John Bigot,† to whom she gave all her lands.

- I. THOMAS, his successor.
- II. Richard.
- III. Brian, Rector of Langtoft, and Precentor of York Minster in 1410. His great-uncle John mentions him in his will as a schoolboy who had borrowed his books.

\* His will, dated June 1393, is printed in the Test. Ebor. (Surt. Soc.) vol. iv. p. 186. He leaves sixty oxen and twenty sheep for his funeral dinner.

† Dugdale erroneously says she had no children by Fairfax. Her son Ralph Bigot, and grandson, were slain at Towton. Her younger sister Elizabeth married George Salvaine, from whom Lord de Mauley traces his descent. His father obtained a new creation in 1838, though the Fairfaxes represent the elder coheiress.

XII. THOMAS FAIRFAX (A.D. 1385—1396), of Walton,\* married Mary or Margaret, sister and heir to Richard Friston, of Marston, and widow of Sir Robert Roucliffe, of Roucliffe, and died in 1415. He had:

- I. RICHARD, his successor.
- II. Guy,† a lawyer, married Agnes . . . . . and had issue.
- III. George.
- IV. Thomas.
- V. John.
- VI. Nicholas.

XIII. RICHARD FAIRFAX (A.D. 1419—1430), of Walton.‡ He married Anastatia, coheir to John Calthorpe, of Calthorpe, by Elizabeth, coheir of Sir William Erghom, and had:

- I. WILLIAM, of Walton, ancestor of the Viscounts Fairfax, of Gilling Castle, now extinct.
- II. Brian, LL.D., a priest.
- III. GUY, of Steeton, ancestor of the Barons Fairfax, and of Fairfax of Newton Kyme.
- IV. Richard, a priest.
- V. Nicholas, a Knight of St. John of Jerusalem; at the siege of Rhodes.
- VI. Miles.
- VII. Margaret.
- VIII. Anne.
- IX. Ellen, a nun, Prioress of Nun Monkton, near York.

\* His will, dated 1394, is printed in the Test. Ebor. vol. iv. p. 203. He left many legacies to his servants.

† His will, dated Oct. 5, 1446, is printed in the Test. Ebor. vol. i. p. 124. It is very short, and was written when suddenly attacked with his last illness. Proved Oct. 22. He leaves all to his wife and children.

‡ The Peerages say he was Chief Justice of England, but he was not even a lawyer.

## II.

### FAIRFAXES OF WALTON AND GILLING CASTLE.

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WILLIAM FAIRFAX, of Walton, the eldest son of Richard Fairfax and Anastatia Calthorpe, married Catharine, daughter of Sir Humphrey Nevile, of Thornton Bridge. He died in 1453, having had issue:

- I. THOMAS, his successor.
- II. Mary, married to Thomas Gower, of Stitenham.

IV | SIR THOMAS FAIRFAX, of Walton, was Master of the Horse to King Edward VI. In 1492 he inherited Gilling Castle, by descent, as heir to his ancestor Sir John Etton. (*See page 2.*) He was made K.B. in 1495, at the creation of Arthur Prince of Wales. He married Elizabeth, daughter of Sir Robert Sherburne, of Stonyhurst, and died in 1505, having had:

- I. THOMAS, his successor.
- II. William.
- III. Richard.
- IV. Robert. This was in all probability the Robert Fairfax well known as a madrigalist and musical composer. Doctor of Music at Cambridge 1511. He had previously set many songs to music, one, dated 1485, referring to the accession of Henry VII. after the battle of Bosworth. He also composed several masses. He lived at Bayford, in Herts, and was organist at St. Alban's Abbey Church, where he was buried.
- V. Anne.
- VI. Elizabeth.
- VII. Jane, married to Sir Richard Aldborough, of Aldborough.
- VIII. Dorothy.

SIR THOMAS FAIRFAX, of Walton, married Anne, daughter of Sir William Gascoigne, of Gawthorpe, by Lady Mary Percy, daughter of the third Earl of Northumberland. He died in 1520, having had issue:

- i. NICHOLAS, his successor.
- ii. Thomas, twin with Nicholas. In Holy Orders. Of Caldbeck, in Cumberland. He married a daughter of John Orbell, of Shenfield, in Suffolk, and had :
  1. Thomas, in Holy Orders, also of Caldbeck. He married Grace, daughter of William Halton, of Graystocke, and died in 1640. He had ten children, namely:
    1. Thomas, Rector of Bolton in Cumberland; living 1665. He married Jane, daughter of Richard Totson, of Bridekirke, in Cumberland, and had a daughter, Grace, married to Richard, son of Sir Edward Musgrave. They had seven children.
    2. William, of Parkhed, in Cumberland. A Colonel in the army of the Parliament. He was buried in York Minster on Dec. 16, 1646. He had a son Thomas, Major of Colonel Lambert's regiment at the battle of Marston Moor, where he was wounded in twelve places. He died of his wounds at York in 1645. (Will proved Nov. 12, 1645.)
    3. Henry,
    4. Richard,
    5. Anthony,
    6. Edward, married Frances, daughter of Thomas Collison, of Westow.
    7. Lancelot,
    8. Christopher,
    9. Nicholas,
  10. Robert, of Cockermouth.
2. George, married to Catharine, heiress of the Fairfaxes of Finningley. He had :
  1. John, married to Eliza, daughter of R. Clack, of Beckford, in Holderness, and had :
    - (1.) William, Rector of St. Peter's, Cornhill, and Vicar of East Ham. Ejected, 1642, by a Committee of Parliament, and imprisoned in Ely House, his wife and children being turned out of doors.\* He married Dorothy, daughter of Richard Starkey, of Stretton, and had a son George, the mathematician, who married Dorothy, daughter of Gervase Falconer, by Lettice, daughter of the above Richard Starkey. Their children were:
      - <sup>1</sup> George.
      - <sup>2</sup> Gervase.
      - <sup>3</sup> William.
      - <sup>4</sup> Dorothy, born at Womersley, in Yorkshire. She married George Read, a stationer and citizen of London, and had

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\* Newcourt's Repertorium, vol. i. p. 526.

Lydia, born 1708, married John Becquet, and had

Lydia, born 1731, married Count de Lorenzi.

### III. Miles.

iv. William, settled at Bury St. Edmund's. On Oct. 26, 1542, he married Anne Baker. He married, secondly, Kate, daughter of Robert Tanfield. He was buried at Walsingham, in Norfolk, on Dec. 12, 1588. He left four children:

1. William, in Holy Orders. Vicar of Holkham. He died at Walsingham on Feb. 27, 1598; his wife Lucy on March 23, 1610.

2. Thomas.

3. Stephen.

4. John, master of the hospital in Holme St. Mary, in the city of Norwich, in 1609. He married Mary, daughter of John Birch, of Norwich, and died in 1614, leaving:

1. Benjamin,\* in Holy Orders. Minister of Rumburgh, in Suffolk. Born 1592. Ejected 1662. Died 1676. He married Sarah, daughter of Roger Galliard, of Funden Hall, and had:

1). John,† of Corpus Christi, Cambridge. Rector of Barking. Ejected 1662. "An excellent minister." Buried at Barking, August 15, 1700, aged 77. He married Eliza Cooper, of Mosborough, and had:

<sup>1</sup> Nathaniel.

<sup>2</sup> William.

<sup>3</sup> Elizabeth, married to Samuel Studd, of Battisford.

(2). Benjamin, married to Bridget, daughter of Walter Stringer.

(3). Nathaniel,‡ born 1637. Of Corpus Christi, Cambridge. M.A. 1661. Perpetual Curate of Willingham. Ejected 1662. In 1674 published "The Bulk and Selvedge of the World." A popular preacher and a good scholar. He practised medicine. He married Eliza, and had a son

Blackerley, of Corpus Christi. M.D. and M.A. 1689. and a daughter

Catharine, ob. s.p. 1750.

(4). Priscilla, lived in the family of the Bishop of Norwich.

### v. Guy.

### vi. Robert.

SIR NICHOLAS FAIRFAX was of Walton and Gilling Castle. Sheriff of Yorkshire 1532, 1545, and 1561. He joined the "Pilgrimage of Grace" insurrection.§ He married Alice, daughter of Sir John Harrington, by whom he had no children; and, secondly, Jane, daughter of Guy Palmes, of Lindley. He died in 1570.

\* Calamy's Nonconformists' Memorial, vol. iii. p. 248.

† Ibid. vol. iii. p. 285.

‡ Ibid. vol. iii. p. 295.

§ Froude's History of England, vol. iii. p. 173 (note).

- I. WILLIAM, his successor.
- II. Nicholas, married to Jane, daughter of William Hungate, of Saxton.
- III. Thomas, Fellow of Catherine's Hall, Cambridge, in 1564. University Preacher 1569. Canon of Carlisle 1578, which office he resigned in 1595. Also chaplain to Toby Matthews, Bishop of Durham. He married a Miss Vaux.
- IV. George, married to a daughter of Sir Francis Salvin, of New Biggin.
- V. Robert, of Pockthorpe, near Little Ribston. He married a daughter of John Spencer, of Yeringham, and had:  
Jane, married to Thomas Lamplugh in 1584, who was grandfather of the Archbishop of York.
- VI. Edward, married to a daughter of John Lord Mordaunt.
- VII. Cuthbert,\* of Acaster Malbis, married a Miss Whitmore, and had:
  1. Nicholas, of Sand Hutton, who married Jane, daughter of Ralph Hungate, and had:
    1. Nicholas.
    2. Hungate.
    3. Elizabeth.
    4. Thomas, of Hunsley, born 1605. He married Elizabeth, daughter of Isaac Mountaigne, of Westow, and had:
      - (1). Anne.
      - (2). Lucretia.
      - (3). Melior.
      - (4). Elizabeth.
      - (5). Isaac, married to Catharine Herbert, of London, and had:
        - <sup>1</sup> Francis.
        - <sup>2</sup> Catharine.
        - <sup>3</sup> Mary.
  2. Mary.
- VIII. Henry.
- IX. Anne, married to Christopher de Frickley.
- X. Margaret, married to Sir William Bellasis, of Newborough, and had a son:  
Sir Henry Bellasis, married to Ursula Fairfax (of Denton).
- XI. Eleanor, married John Vavasour, of Hazlewood, but had no children.
- XII. Elizabeth, married Mr. Roos, of Ingneythorpe.
- XIII. Mary, married Sir Henry Curwen, of Workington, in Cum-

\* Cuthbert Fairfax, of Acaster Malbis, and his daughter Mary, were reported as recusants. Also Ralph Fairfax, who dwelt at Dunsley, but resorted to the house of Cuthbert at Acaster.

berland. In May 1568, when Mary Queen of Scots took refuge at Workington, the Earl of Northumberland waited on her there with some Fairfaxes and Vavasours.\*

SIR WILLIAM FAIRFAX, of Walton and Gilling Castle, was Sheriff of Yorkshire in 1577. He had no children by his first wife Agnes, daughter of George Lord Darcy, but she brought him a wrought silk carpet, bordered with crimson velvet. He married, secondly, Jane, daughter of Brian Stapleton, of Wighill, and had an only son

THOMAS.

SIR THOMAS FAIRFAX, Sheriff for Yorkshire 1628. On February 10th, 1628, he was created Viscount Fairfax, of Emley, in the county of Tipperary, and took his seat in the Irish House of Lords on Nov. 4th, 1634. He died in 1636. He married Catharine, daughter of Sir Henry Constable, of Burton Constable, and had:

- I. THOMAS, his successor.
- II. Henry, of Burlington, married Frances, daughter of Henry Barker, of Hurst, on the borders of Berks and Wilts. He died April 4th, 1650, aged 49, leaving three children:
  1. Henry,† of Hurst, married Anne, daughter of Sir T. Browne, of Norwich, and had four children. He died Sept. 15th, 1678, aged 56.
    1. Frances, married, in 1697, to David Earl of Buchan.
    2. William, died July 27, 1684.
    3. Anne.
    4. Alatheia.
  2. John, died young.
  3. Frances.
- III. WILLIAM, father of the ninth Viscount.
- IV. Nicholas, married to Isabel, daughter of Thomas Beckwith, of Acton.
  - V. Jordan.
  - VI. John.
  - VII. Jane, married to Cuthbert Morley.
  - VIII. Margaret, married, first, to Mr. Watkinson Taylor; and, secondly, to Sir John Hotham's son John. His second wife, and had no children.

\* Froude's History of England, vol. ix. p. 233.

† See Ashmole's Antiquities of Berkshire (vol. ii. p. 415) for inscriptions on the tombs of these Fairfaxes of Hurst.

- ix. Catharine, married to Robert Stapleton, of Wighill, who died in 1634, and then to Sir Matthew Boynton, Bart.; thirdly, to W. Wickham, Esq.
- x. Mary, married to Sir Thomas Layton.
- xi. Dorothy, married, firstly, to John Ingram; secondly, to Sir Thomas Norcliffe of Langton.

THOMAS, second Viscount FAIRFAX, married Alatheia, daughter of Sir Philip Howard (Lord Carlisle's ancestor). He and his wife are buried at Walton. He died Sept. 24, 1641. His wife Sept. 3, 1677.

- i. WILLIAM, third Viscount, born June 6, 1630. He died in 1648. He married Elizabeth, daughter of Alexander Smith, and had:

- 1. THOMAS, fourth Viscount, died young.
- 2. William, died young.
- 3. Catharine, married to Lord Fitz-Walter. Died on March 20, 1724, aged 80.

- ii. CHARLES, fifth Viscount, married Abigail, daughter of Sir John Yates, and died in Suffolk Street (London) on July 6, 1711. He left one child

Alatheia, married to William Lord Widdrington, whose son was attainted for the '15.

- iii. John, died before his father, and was buried at Walton in 1692. He married Mary, daughter of Colonel Hungate.

- iv. Nicholas, married Elizabeth, daughter of Sir Thomas Davison, of Blackstone, in Durham, and had issue:

- 1. NICHOLAS, sixth Viscount FAIRFAX, who married Mary, daughter of William Weld, of Lulworth.
  - 1. CHARLES, seventh Viscount.
  - 2. Mary, married to the tenth Viscount.
- 2. CHARLES, eighth Viscount, died July 6, 1711, unmarried.
- 3. Alatheia, married to John Forcer.

v. Philip.

vi. Mary.

- vii. Catharine, married to George Meham, and, secondly, to Sir Arthur Ingram, of Temple Newsam. She died in 1715.

WILLIAM FAIRFAX, third son of the first Viscount Fairfax, married Mary, daughter of Marmaduke Cholmeley, of Brandsby, and had:

- i. Charles.

11. WILLIAM, ninth Viscount Fairfax, married Elizabeth, daughter of Captain Gerard. He died in November 1738, having had:

1. CHARLES GREGORY, who succeeded.
2. Richard.
3. ALATHEA, Mrs. Pigott.

CHARLES GREGORY, tenth Viscount Fairfax, of Gilling Castle, Lord of the Manors of Walton, Acaster Malbis, and Gilling, married Elizabeth, daughter of Lord Clifford of Chudleigh, and widow of William Constable, Viscount Dunbar, on Nov. 17, 1720. She died without children, of small pox, on April 25, 1721. He married, secondly, Mary, his cousin, daughter of the sixth Viscount, by whom he had four sons and five daughters, but only two daughters survived their mother, who died on July 1, 1741.

- i. Elizabeth, s.p.
- ii. Anne, died unmarried in 1793.

Lord Fairfax died in 1741, when the title became extinct.

ALATHEA PIGOTT, daughter of the ninth Viscount Fairfax, and wife of Ralph Pigott, of Whitton, had a son, Nathaniel Pigott, who married Anna Mathurina, daughter of Monsieur de Beriol, and had a son

CHARLES GREGORY PIGOTT.

CHARLES GREGORY PIGOTT succeeded to Gilling Castle on the death of Anne Fairfax, daughter of the tenth and last Viscount Fairfax, his cousin, in 1793. He assumed the name of FAIRFAX. He married, in 1794, Mary, sister of Sir Henry Goodricke, of Ribston, and died leaving:

- i. CHARLES GREGORY FAIRFAX, of Gilling Castle, married a daughter of Michael Tasburgh, of Burgh Wallis, but has no children.
- ii. Harriet, married, on Feb. 22, 1838, to Francis Cholmley, of Bransby Hall, co. York.

### III.

## FAIRFAXES OF DENTON AND NUNAPPLETON.

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XIV. SIR GUY FAIRFAX was the third son of Richard Fairfax, of Walton, and Anastatia Calthorpe. (*See page 387.*) He studied law at Gray's Inn. Commissioner of Array for the West Riding 1435. Sergeant 1463. King's Sergeant April 28, 1468. Recorder of York 1476. Judge of King's Bench 1477. Lord of the manor of Steeton, where he built a house, and a chapel, consecrated by Archbishop Rotherham in 1477. He married Isabel, daughter of Sir Robert Ryther of Ryther, and died in 1495, being still a judge. He was so attached to the house of York that he bore a white rose on the shoulder of the lion in his coat of arms. He left six children:

I. WILLIAM, his successor.

II. Thomas, of Finningley. Sergeant-at-Law. A member of the Council of the North. He married Cicely, daughter of Sir Robert Manners, and had a son

Guy, of Finningley, who married Catherine, daughter of Sir William Bassett, and had a son

Guy, of Finningley, whose sole daughter and heir, Catharine, married George Fairfax, son of Thomas, and grandson of Sir Thomas Fairfax of Walton. (*See page 389.*)

III. Guy.

IV. Nicholas.

V. Eleanor, married to Sir Miles Wilstrop of Wilstrop, and had a son

Guy.

VI. Maud, married to Sir John Waterton, of Methley, Master of the Horse to Henry VI., and had a son

Sir Robert, father of Sir Thomas Waterton, of Walton.

XV. SIR WILLIAM FAIRFAX, of Steeton. Serjeant-at-Law  
1487. Recorder of York, and Judge of Common Pleas  
1509. He married Elizabeth, daughter of Sir Robert  
Manners, and died in 1514, leaving :

- I. WILLIAM, his successor.
- II. Elizabeth, married to Sir Robert Oughtred.
- III. Ellen, married to Sir William Pickering, Knight Mareschal  
of England, and had an only child  
Hester, married to Edward Lord Wotton.
- IV. Anne, married to Sir Robert Normanville, of Kilnwick Percy.
- V. Dorothy, the wife of . . . . . Constable, of Kexby.

XVI. SIR WILLIAM FAIRFAX, of Steeton. High Sheriff of  
York in 1535\* and 1541. He married Isabel, daughter  
and heiress of Thomas Thwaites of Denton, Askwith, and  
Bishop Hill and Davy Hall, in York, by Emota, daughter  
and heiress of Nicholas Middleton. She was a ward of  
the Abbess of Nunappleton. He bought the manor and  
tithes of Bilbrough in 1546. He received a grant of  
Nunappleton and all its lands, with the manor of Bolton  
Percy, in 1542. Sir William died on the 31st of October,  
1557, and was buried by his wife in St. Nicholas' choir  
in Bolton Percy church.† He had issue:

- I. Guy, born in 1519, and died unmarried in 1545.
- II. THOMAS, ancestor of the Fairfaxes of Denton and Nunappleton.
- III. Francis, died young.
- IV. Edward, died young.
- V. GABRIEL, ancestor of the Fairfaxes of Steeton and Newton  
Kyme.
- VI. Henry, of Street Houses, living in 1584. He married Dorothy,  
daughter of Robert Aske, of Aughton, by whom he had :
  1. Gabriel, of Street Houses, married to Frances, daughter of Sir  
Brian Palmes, of Naburn, by Anne, daughter of Sir John Con-  
stable, of Halsham, and had:
    1. Dorothy.
    2. Anne.

\* The bills, as High Sheriff, on parchment, are now in the possession of E. Hailstone, Esq. of Horton Hall.

† His will is printed in the *Fairfax Correspondence*. An inventory of all the furniture in each room at Steeton, made at the time of his death, is printed in the *Excerpta Antiqua* (York, 1795).

2. Edward.
3. Francis.
4. Henry.
5. William.
6. Thomas.
7. Mary.
8. Frances.
9. Elizabeth, baptized at Bolton Percy 11 Dec. 1607.

VII. John.

VIII. Anna, married to Sir Henry Everingham of Laxton.

IX. Mary, married to Robert Rockley of Rockley.

X. Bridget, married to Sir Cotton Gargrave of Nostell, in 1584.

XI. Ursula, or Audrey, first wife of Ralph Vavasour of Hazlewood.

XII. Agnes, married to Edmund Eltoft of Knottingley and Farnell in Craven.

XVII. SIR THOMAS FAIRFAX,\* of Denton and Nunappleton, was born in 1521. He served in Italy and Germany. High Sheriff of Yorkshire 1571. Knighted 1579. Changed the field of his coat from *argent* to *or*, to distinguish it from the Steeton branch. He married Dorothy, widow of John Rokesby, and daughter of George Gale, Esq. goldsmith, of York, and Lord Mayor in 1534 and 1549, by Mary, daughter of Robert Lord Kendal. Her brother was Francis Gale of Ascham Grange, Treasurer of the Mint at York, who died in 1590, and was great-grandfather of the learned Dr Thomas Gale, Dean of York, who died in 1702. Sir Thomas Fairfax died on January 28, 1599; his wife on January 20, 1596. Both were buried in Denton Chapel, where there was a monument to their memory, destroyed by the Ibbetsons. The inscription is given in *Loidis and Elmete*, p. 196. They had issue:

- I. THOMAS, his successor.
- II. Henry, died young. He was a Fellow of Trinity College, Cambridge, in 1613.
- III. Ferdinando, died young.
- IV. Charles, served in the Low Countries under Sir Francis Vere. Knighted in 1600, after the battle of Nieuport. He was

\* Picture at Leeds Castle.

killed at the siege of Ostend by a wound on the face from a piece of the skull of a Marshal of France A.D. 1603.

v. Edward, born about 1568. The poet. Translated the "Jerusalem Delivered" of Tasso, which was published in 1600. He also wrote a metrical life of the Black Prince, twelve eclogues, and a "Discourse of Demonology." He lived in Kirkgate, Leeds, and afterwards at New Hall, near Fewston, in the valley of the Washburn. He married a sister of Walter Laycock of Copmanthorpe, chief aulnager of the northern counties, and died in 1632. Besides several children who died in infancy, he had:

1. William, a scholar, B.A. of Corpus Christi, Oxford. He wrote the notes on Euripides for Stanley's "Lives of Old Philosophers," and assisted him in his edition of *Æschylus*.
2. Helen, born in 1600. At twenty-one she was healthful, of complexion sanguine, free from melancholy, rather hard of learning, slow of speech, patient of reproof, and educated at home. She led her father a life by pretending she was bewitched in 1621, but the old women she accused were acquitted at York assizes. In 1636 she married one Christopher Yates.
3. Edward, born in 1611.
4. Elizabeth, baptized at Fewston on Oct. 8, 1606. In 1621 she was of a pleasant aspect, quick wit, and active spirit. She also pretended to be bewitched, as an excuse for not doing her lessons. So, when she married a man named Scarborough, she could only sign with a +.
5. Mary, born in 1617. She married a man named Richardson.
6. Henry, born in 1619.
7. Anne, baptized on June 12, and buried on Oct. 7, 1621, at Fewston. Said to have been frightened to death by a witch, who sucked her blood.

vi. Ursula, married to Sir Henry Bellasis, of Newborough.

vii. Christina, married to John Aske, of Aughton.

XVIII. SIR THOMAS FAIRFAX,\* of Denton and Nunappleton, was born at Bilbrough in 1560. Knighted before Rouen 1594. Created Baron Fairfax of Cameron on May 4, 1627. In 1582 he married Ellen, daughter of Robert Aske of Aughton, by Elizabeth, daughter of Sir John Daunay. He died on May 2, 1640. His wife on August 28, 1620. Both buried under a fine altar tomb in Otley church. They had:

\* Pictures at Newton Kyme and Leeds Castle. "The noble Thomas Lord Fairfax was buried with great solemnitie and company of knights, esquires, gentlemen, and yeomen of good ranke, the fifth day of May, 1640." *Otley Register*. Altar-tomb in Otley church. His will is printed in the *Fairfax Correspondence*.

- i. FERDINANDO, who succeeded. Born at Denton March 29, 1584.
- ii. Charles, }  
 iii. Henry, } twins, born and died April 8, 1586.
- iv. Henry, born at Denton Jan. 14, 1588. M.A. of Cambridge. Inherited Oglethorpe, near Tadcaster. Fellow of Trinity College, Cambridge, 17 Sept. 1608. Rector of Ashton, then of Newton Kyme, then of Bolton Percy, 1646—60. He married Mary, daughter of Sir Henry Cholmley of Whitby. She died on Jan. 8, 1650, aged 56, and was buried at Bolton Percy. Monument on the wall. He retired to Oglethorpe in 1660, and died on April 6, 1665. Buried under a flagstone within the altar-rails of Bolton Percy church. He had issue:
  1. Thomas, born at Ashton. Died 29 April, 1640, and buried at Otley.\*
  2. HENRY, born at Ashton Dec. 20, 1631. He succeeded as FOURTH LORD FAIRFAX.
  3. Brian, born at Newton Kyme Oct. 6, 1633. M.A. and LL.D. of Cambridge. Equerry to Charles II. Secretary to Archbishop Tillotson. Translated the Life of Du Plessis. Wrote many poems.† On April 22, 1675, he married Charlotte, daughter and heir of Sir Edmund Cary, in Westminster Abbey ‡ (who died 14 Nov. 1709), and died Sept. 20, 1711, having had five sons:
    1. Brian,§ born in the Mews, in London, on April 11, 1676. At Westminster School. Got head into College 1690. Fellow of Trinity, Cambridge, 1698. M.A. 1700. Made Commissioner of Customs 1723. Lived in Panton Square, London. An antiquary. Died Jan. 9, 1748.
    2. Henry, born at Toulston on March 22, 1677. Died at Walton July 13, 1680.
    3. Ferdinando, born in the Mews, in London, on June 11, 1678. At Westminster School and Trinity College, Cambridge. Lived with his brother in Panton Square. Died Feb. 12, 1748, unmarried.
    4. Guy, born at Newton Kyme. Died in London in 1679, and buried at St. Martin's-in-the-Fields.
    5. Charles. At Westminster School. Got second into College. Went to Christ Church, Oxford. M.A. 1709. D.D. Dean of Down and Connor. Married a Miss Brandon. Died July 27, 1723.
- v. Mary, born at Bishophill, in York, on May 16, 1588. Died young, and was buried in the Fairfax Chapel of St. Mary Bishophill.

\* Aged about 12. "He being a gentleman of great hopes for his time." *Otley Register*.

† See Addit. MSS. 22, 582, British Museum.

‡ Pictures at Leeds Castle.

§ Picture at Leeds Castle.

- VI. Dorothy, born at Denton July 13, 1590. On Feb. 15, 1608, she married Sir William Constable, Bart. of Flamborough. She died at York on March 9, 1656, and was buried with her infant in the chancel at St. Mary Bishophill.
- VII. William,\* born at Denton May 10, 1593. A Captain under Sir Horace Vere. Antiquary and friend of Selden. Slain at the siege of Frankenthal. Monument to him in the church there, Oct. 1621.
- VIII. Thomas, born at Denton Aug. 4, 1594. A Merchant Adventurer. He died at Scanderoon on July 4, 1621.
- IX. Charles,† born at Denton March 5, 1597. Of Trinity College, Cambridge, Oct. 5, 1611, and Lincoln's Inn. Called to the Bar March 9, 1618. A Colonel in Monk's army in Scotland. Governor of Hull 1660. An antiquary, and author of *Analecta Fairfaxiana*. He lived at Menston, near Otley. He married Mary, daughter and heiress of John Breary of Scow Hall and Menston. He died at Menston, and was buried on Dec. 22, 1673. His wife was buried at Otley on Oct. 21, 1657.‡ Monument in Otley church (mural). They had fourteen children:
1. Thomas, born at Otley on July 26, 1628. J.P. for the West Riding. Retired to a house in Kirkgate, Leeds. Went to church twice every day. He married, first, Eleanor, daughter of James Hinchcliff, of Kirkstall, on Aug. 30, 1664. She died on Dec. 9, 1665, and was buried at Otley. He married, secondly, Dorothy, daughter of Randolph Carlile, of Sowerby. He died in 1716, having had the following children:
 

By his first wife.

    1. Eleanor, born at Menston on Aug. 4, 1665. She married Walter Stanhope of Leeds.

By his second wife.

      2. Mary.
      3. Elizabeth, married to Thomas Prior, of Daventry.
      4. Frances.§
      5. Anne.
      6. Thomas, of Menston. In Holy Orders. He married Martha,|| daughter of Dr. Richard Ford, and had an only child, which died an infant with its mother.
  2. Charles, baptized at Scow Aug. 12, 1628. Died at Menston Oct. 27, 1633, and buried at Otley. Broken tombstone.

\* Two prints from a picture once at Denton.

† Picture at Newton Kyme.

‡ According to the Fewston Register she was buried there on Oct. 21, 1657.

§ A broken and defaced tombstone in Otley church appears to be to the memory of this Frances Fairfax.

|| Buried in Wakefield church. Monument. Very learned; knew Greek and Latin.

3. Eleanor (Nell), born at Menston on Jan. 31, 1631. In July 1636 she was engaged to young Mr. Jennings, "of a sweet disposition," aged 19; but he showed signs of a preference for Miss Harrison. On Jan. 20, 1653, she married George Smithson, of Mowton, and had:
  1. George.
  2. William.
  3. Dorothy, died 1661.
  4. Charles, died 1659.
  5. Thomas.
  6. Ellen.
  7. Mary.
  8. Dorothy.
  9. Elizabeth.
  10. John, born Aug. 31, 1667.
  11. Christopher, born April 15, 1670.
4. William, born at Menston on March 16, 1632. A merchant in India. Died at Surat June 1653, unmarried.
5. Brian, born at Menston May 8, 1633. Died there Jan. 26, 1636.
6. John, born at Menston Oct. 20, 1634. A Captain in the army. He married a Miss Birdsall, and died at Burleigh in 1677, leaving two daughters.
7. Henry, in Holy Orders, twin with John. Fellow of Magdalen College, Oxford. Boldly opposed the tyranny of James II.\* Dean of Norwich 1689. Died Dec. 10, 1702, unmarried. Tomb in Norwich Cathedral.
8. Ferdinando, born at Menston Jan. 11, 1636. Died in London Dec. 13, 1664. A citizen of London and Virginia merchant.
9. Mary, born at Menston Aug. 19, 1638. On Oct. 31, 1666, she married John Beckwith, and had:
  1. Charles, } died young.
  2. John, }
  3. Mary.
  4. Catharine.
10. Dorothy, born at Menston April 5, 1640. On Feb. 14, 1666, she was married to E. Wormley of Riccall, in Bolton Percy church.
11. Elizabeth, born at Menston July 30, 1641.
12. Peregrine, born at Menston July 10, 1643.
13. Charles, born at Menston Feb. 9, 1645. In the navy. Served in the great battle with the Dutch on June 3, 1665, under Sir J. Lawson. Afterwards in the Mediterranean. Left land at Clifford for his life, by the third Lord Fairfax in his will. He died young, at his sister's house at Riccall.
14. Mary, born at Menston Oct. 18, 1657, and buried in Otley church.
- x. John, born at Nunappleton on Oct. 29, 1597. Baptised at Bolton Percy on the 30th. Slain at Frankenthal with his brother William Oct. 6, 1621.
- xi. Peregrine, born at Denton May 31, 1599. Secretary to the Earl of Carlisle, then Ambassador in France. Slain there in 1621.
- xii. Anne, born at Bramham on Oct. 8, 1600. She married Sir George Wentworth of Woolley, and had two sons who

\* See Macanlay's *History of England*, and Blomefield's *History of Norfolk*, 8vo. ed. vol. ii. p. 452.

died childless. She died of consumption at Denton on Aug. 19, 1624, and was buried in the Fairfax chapel in Otley church on the 21st. Small mural monument (brass).

XIX. FERDINANDO, second LORD FAIRFAX,\* was knighted by James I. in 1607. M.P. for Boroughbridge 1640; for Yorkshire 1641. General of the Northern Forces for the Parliament 1642—45. In 1607 he married Mary, daughter of Edmund Lord Sheffield, Earl of Mulgrave, and President of the North. She died in childbirth at Steeton, and was buried in Bolton Percy church on June 4, 1619. In 1645 he married, secondly, Rhoda, daughter of Thomas Chapman of London, and widow of the eldest son of Sir Edward Hussey, Bart. She was buried at Aynho on Oct. 11, 1686, aged 70. Lord Fairfax died at Denton on March 13, 1647, and was buried by the side of his first wife at Bolton Percy. Monument in the church there. He had:

(First wife.)

- i. Ursula, born at Bishophill on Sept. 29, 1609. Died on Sunday, July 6 (and buried on the 7th), 1628. Buried in the Fairfax chapel in St. Mary's, Bishophill.
- ii. Ellen, born at Toulston on Feb. 10, 1611. She married Sir William Selby of Twizell, by whom she had one child, Dorothy, wife of Sir John Forster of Bamborough. She died at Nunappleton on March 17, 1671, and was buried at Bolton Percy. A monument to her memory erected by her son-in-law.
- iii. THOMAS, his successor, born at Denton on Jan. 17, 1612.
- iv. Frances, born at Denton on Dec. 13, 1612. She married Sir Thomas Widdrington (Speaker in Cromwell's Parliament, &c.), and died in London on May 4, 1649. Her husband died May 13, 1664. Both buried at St. Giles's. A monument put up to their memory by their children. They left four daughters:

\* Pictures at Newton Kyme and Leeds Castle. His will is printed in the *Fairfax Correspondence*. In the parish register at Selby there is an entry of a Ferdinando Fairfax buried in 1643, and of two of his children, Mabel and Stephen, who died in infancy. It is difficult to make out who this can have been, unless the Ferdinando, younger brother of the first Lord, who is said to have died young, survived and had a son.

1. Frances, married to Sir John Legard, Bart. of Ganton.
2. Catharine, married, in 1661, to Sir Robert Shafto of Whitworth, co. Durham, and had an only child, Mark Shafto of Whitworth.
3. Ursula, married to Thomas Windsor, first Earl of Plymouth.
4. Mary, married to Sir Robert Markham, Bart. of Sedgebrook, on Aug. 31, 1665, and died April 7, 1683, leaving three children.

v. Elizabeth, born at Scow Hall on Feb. 4, 1613. She married Sir William Craven of Lenchwick, in Worcestershire (who died in 1665), and had William Craven, who died young, and Elizabeth, married to Theophilus Leigh of Longbrow.

vi. Charles, born at Scow Hall on March 22, 1614. Baptized at Fewston on the 26th. Slain at the battle of Marston Moor, and buried at Marston. No entry or monument.

vii. Mary, born at Scow Hall on May 4, 1616, and baptized at Fewston on the 12th. She married Henry Arthington, Esq., of Arthington, at St. Mary's, Bishophill, on May 24, 1638. He died on June 19, 1671. She was buried at St. Mary's, Bishophill, on Dec. 21, 1678. Their children were:

1. Henry, died childless in 1681.
2. Mary,
3. Frances, } living in 1671, and left legacies by Lord Fairfax.
4. Anne, }
5. Dorothy, } died young.
6. Ferdinando, }

viii. Dorothy, born at Steeton on June 4, 1617, and baptized in the chapel there. She married Richard, son of Sir Thomas Hutton of Nether Poppleton, and grandson of the Archbishop of York; who was born in April 1613. Richard Hutton had married, first, Ursula, daughter of Sir Edward Sheffield, and grand-daughter of the Earl of Mulgrave, by whom he had an only child Ursula. His only sister, Elizabeth, married the Rev. Edward Bowles, Chaplain to the great Lord Fairfax. Richard Hutton died on April 8, 1648. Mrs. Hutton died on June 7, 1687, having had:

1. Thomas, born March 18, 1638. He succeeded to Poppleton, and had a son:

Thomas Hutton of Poppleton, living in 1712. Died childless.

2. Richard, born Oct. 19, 1639.
3. Matthew, born in 1641. In Holy Orders. Fellow of Brazenose and D.D. Rector of Aynho in Northamptonshire. He was an antiquary, and his collection of MSS. is in the British Museum. He married Elizabeth, daughter of Sir Roger Burgoyne, Bart., and, dying on June 27, 1711, left two sons:

1. Roger.
2. Thomas.

4. Charles, born Dec. 25, 1644.
5. Dorothy, born Dec. 23, 1637.

- ix. John, born at Steeton on May 31, and buried at Bolton Percy on June 7, 1619.

(Second wife.)

- x. Ursula, born at Denton in February 1647. In 1669 she married John Cartwright, Esq. of Aynho in Northamptonshire, who died in 1674. Ursula died on July 25, 1702. Their children were :

1. Thomas, ancestor of the Cartwrights of Aynho.
2. Rhoda, married to Lord Henry Cavendish.

XX. THOMAS, third LORD FAIRFAX,\* knighted 1640. General of Horse in the Northern Forces 1642. Commander-in-Chief of the armies of the Parliament 1645—50. Constable of the Tower 1647. D.C.L. of Cambridge 1647, and of Oxford 1649. Lord of the Isle of Man 1650. M.P. for Yorkshire 1660. On June 20, 1637, he married Anne,† daughter and coheir of Horace Lord Vere of Tilbury. She died on Oct. 16, 1665, and was buried in Bilbrough church. The great Lord Fairfax died at Nun-appleton on Nov. 12, 1671, and was buried by his wife. An altar-tomb in Bilbrough church. They had two daughters:

- i. Mary,‡ born at Bishophill on July 30, and baptized at St. Mary's on Aug. 1, 1638. On Sept. 15, 1657, she married George Villiers, second Duke of Buckingham, in Bolton Percy church.§ She died childless, in London, on Oct. 20, and was buried on Oct. 30, 1704, in the Villiers vault in Henry VII.'s chapel.
- ii. Elizabeth, baptized at St. Mary's, Bishophill, on April 6, 1640. She died at Denton, and was buried at Otley in 1642.

XXI. HENRY, fourth LORD FAIRFAX,|| son of Henry Fairfax,

\* Pictures at Newton Kyme, Leeds Castle, Althorpe, and Ashton Hall, by Walker; one at Gilling Castle by Dobson; one at Welbeck; and one in the house of Dr. O. Fairfax in Virginia, attributed to Vandyck. Miniatures by Hoskins and Cooper at Leeds and Wardour Castles. Pictures at Apethorpe and at Bottesford Manor in Lincolnshire.

† Picture by Mary Beale, another by Dobson at Gilling; another by Zoust.

‡ Picture, when young, at Leeds Castle. One at Hampton Court after Lely, and another at Woburn. A miniature by Cooper in the collection of the Duke of Buccleuch, and another at Leeds Castle.

§ Not at Hackney on July 19 as stated in Douglas's *Peerage of Scotland*.

|| Picture in possession of Mrs. Cary (New York). Copy at Leeds Castle.

the Rector of Bolton Percy, and grandson of the first Lord Fairfax. Succeeded to the title on the death of the third Lord in November 1671. M.P. for Yorkshire 1678. He married Frances, daughter and heiress of Sir Robert Barwick of Toulston, by Ursula, daughter of Walter Strickland. She died on Feb. 14, 1684.\* Tombstone in Denton churchyard. The fourth Lord died in April 1688, and was buried at Denton on April 16. Their children were:

- I. Mary, baptized at Bramham. Born at Toulston July 29, 1653. Buried at Bolton Percy May 7, 1654.
- II. Dorothy, born at Toulston Dec. 30, 1655. Married, first, to Robert Stapleton of Wighill, and, secondly, to Bennet Sherard, by whom she was mother of Philip Earl of Harborough. She died in January 1744.
- III. THOMAS, fifth LORD FAIRFAX, born at Bolton Percy April 16, 1657.
- IV. HENRY, ancestor of the American Fairfaxes. Born at Bolton Percy on April 20, 1659. High Sheriff 1691. Died 1708.
- V. Ursula, born at Bolton Percy on May 3, 1661. Died in 1668.
- VI. Frances, born at Oglethorpe on April 2, and baptized at Bramham April 5, 1663. On Oct. 26, 1686, she disobeyed her father by marrying the Rev. Nicholas Rymer, Rector of Newton Kyme. She was buried at Newton on July 22, 1723?
- VIII. Bryan, born at Oglethorpe on April 2, 1665. Baptized at Bramham on the 5th. He died on Oct. 7, 1666.
- IX. Barwick, born at Oglethorpe on Sept. 18, 1667. Baptized at Bramham on Oct. 18.
- X. Anne, baptized at Bramham April 27, 1670. She married Ralph Carr of Cocken, co. Durham, on Sept. 2, 1690, in Westminster Abbey. Her son, Ralph Carr of Cocken, had a daughter Isabella, married to Sir Henry Ibbetson, Bart. of Denton. Her daughter Frances married Wingate Pulleine of Carlton, co. York.
- XI. Mary, baptized at Bramham on Oct. 8, 1673. She died unmarried on Sept. 24, 1716, and was buried in the Fairfax chapel of St. Mary's, Bishophill, in York.

\* Tombstone at Denton. She was buried in Denton chapel on Feb. 18, 1684.

XXII. THOMAS, fifth LORD FAIRFAX,\* made Colonel of the third regiment of Horse Guards 1688. Colonel of King's Own 1693. Brigadier-General March 9, 1701. M.P. for the county of York 1688—1707. He married Catharine,† daughter and heiress of Thomas Lord Culpepper,‡ by Margaret,§ daughter of Jean de Hesse. This lady inherited Leeds Castle in Kent, the proprietary right over the Northern Neck in Virginia, and an estate of 300,000 acres in the Shenandoah Valley. Lord Fairfax died on Jan. 6, 1710, when his widow sold Denton and all the Yorkshire property. Their children were:

- I. THOMAS, sixth LORD FAIRFAX, born at Denton in 1690. He retired to his estates in Virginia in 1745, and built Greenway Court in Frederick County, where he died unmarried on March 12, 1782. Buried in the chancel of the old church at Winchester, Va.
- II. Henry Culpepper, a mathematician, died at Leeds Castle on Oct. 14, 1734.
- III. ROBERT, seventh LORD FAIRFAX,|| was born in 1707. He was M.P. for Maidstone in 1743. Major of Horse Guards. He married, first, on April 25, 1741, the daughter of Anthony Collins¶ of Baddow (who died on Dec. 13, 1729). She died in childbed 1743. In July 1749 he married, secondly, a sister of Thomas Best, Esq. of Chilston in Kent. She died May 21, 1750. Lord Fairfax died childless on July 15, 1793.
- IV. Margaret, married, on Nov. 15, 1725, to Dr. David Wilkins, Prebendary of Canterbury. She died childless on March 30, 1755.
- V. Katherine, born 1695. Died unmarried Aug. 4, 1716.
- VI. Mary, born 1705. Died unmarried Sept. 1739.
- VII. Frances, born in 1703. She married Denny Martin, Esq. and had :
  1. Edward, born 1722. Died unmarried 1775.
  2. John, born 1724. Died at Portsmouth 1746.

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\* Picture at Leeds Castle.

† Ibid.

‡ Pictures at Leeds Castle.

§ Ibid.

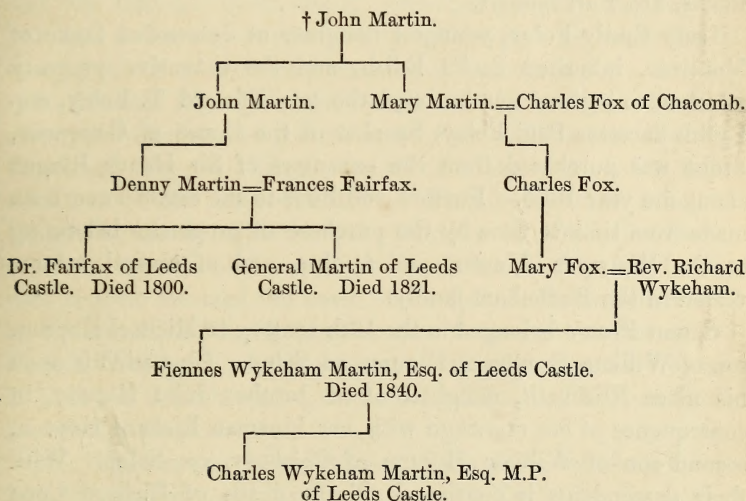
|| Pictures at Leeds Castle and of his two wives.

¶ Picture at Leeds Castle.

3. Denny, in Holy Orders, D.D. Succeeded to Leeds Castle on the death of the seventh Lord Fairfax in 1793, and took the name of Fairfax. Sold the Virginian estate for £20,000. He died unmarried in April 1800.
4. Frances, born 1727. Died unmarried in 1813.
5. Sibylla, born 1729. Died unmarried in 1816.
6. Thomas Brian, Colonel. Born 1731. Joined his uncle, the sixth Lord Fairfax, in Virginia, and died there unmarried in 1798.
7. Philip,\* succeeded his brother Dr. Fairfax at Leeds Castle in 1800. Born 1733. General of Artillery at siege of Gibraltar. Buried Aug. 11, 1821, aged 88. He left Leeds Castle to his only relation on his father's side, Fiennes Wykeham, Esq. who took the name of Martin, and died Sept. 14, 1840. His son is Charles Wykeham Martin, Esq. M.P. now of Leeds Castle.†
8. Anne Susanna, born 1736. Died unmarried in 1817, aged 81.

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\* Picture at Leeds Castle.



*(To be continued.)*

## THE LANDED GENTRY OF HEREFORDSHIRE.

(Concluded from vol. V. p. 498.)

*Radlow Hundred*, one of the eastern divisions of the county, contains within it the extensive properties of Lord Somers, Lady Emily Foley, and the Hopton family.

It is unnecessary for our purpose to trace the earlier history of the Eastnor estate, which was purchased from the Clintons, Reeds, and Lechmeres, at the commencement of the 17th century, by Richard Cocks, esq. Alderman of London, and is now, with large additions, enjoyed by his lineal descendant Charles Somers Cocks, 3rd Earl Somers.

Lady Emily Foley, youngest daughter of James 3rd Duke of Montrose, inherited Stoke Edith, and the extensive property attached to it, from her husband the late Edward T. Foley, esq. By his ancestor Paul Foley, Speaker of the House of Commons, Stoke was purchased from the executors of Sir Henry Lingen about the year 1665. Further additions to the estate have been made from time to time by the purchase of properties belonging to the Walwyns, Unetts, and Cookes, and of several manors vested in the Bodenham family.

Canon Frome belonged in the 16th century to Michael Hopton, son of William Hopton of Hopton, co. Salop. He settled it upon his niece Elizabeth, daughter of his brother John Hopton, in consequence of her marriage with her kinsman Richard Hopton, second son of William Hopton of Chirbury, co. Salop. With their descendants it continued till the death of Richard Cope Hopton, who bequeathed it to his cousin the Rev. William Parsons of Kemerton (son of John Parsons and Deborah Hopton, aunt of the testator). He assumed the name and arms of Hopton in 1817, and was succeeded in 1841 by his eldest son, the Rev. John Hopton, who is the present proprietor.

Among the smaller landowners in this Hundred may be mentioned Mr. Higgins of Bosbury House, whose family has been resident at Eastnor for more than two centuries, and the Rev.

William Poole, the representative of a family which entered its pedigree in the last Visitation of the county (1685), and has increased its possessions by purchases from the Unetts of Castle Frome, Youngers of Stretton Grandison, Janceys of Whitwick, &c. The Brights of Colwall, and (through a female heiress) the Martins of Ledbury may claim connection with the county for more than 200 years. More recent proprietors are Major Heywood of Hope End, whose father purchased it from the late Mrs. Barrett (father of the poetess, Mrs. Barrett-Browning); Mr. E. Griffiths of New Court, formerly the property of the Reeds, and subsequently of the Sheldons and of Archdeacon Lilly; Mr. Hutchinson, who bought Longworth (the old property of the Walwyns) from the executors of the late Mr. R. B. Phillipps; and Sir Herbert Croft, Bart., who has recently acquired by purchase an interest in that county with which his ancestors for many generations were once most closely connected.

In *Broxash Hundred*, which is also on the eastern side of the county, an extensive property is in the hands of Messieurs Barneby, Barneby-Lutley, and Higginson, all of whom share in the representation of the ancient family of Barneby of Brockhampton. Upon the death of Mr. John Barneby in 1726, his estates devolved by will to his nephew Bartholomew Richard Lutley, who in 1735 assumed the name of Barneby. He was succeeded by his son John Barneby, whose grandsons are the present Mr. Barneby Lutley (the latter surname having been resumed by him in 1863) of Brockhampton, and his brother Mr. William Henry Barneby of Bredenbury.

Mr. Higginson is the second son of the above-mentioned John Barneby, and changed his family name on becoming the devisee of the property of his great-uncle William Higginson of Saltmarsh. He purchased Wolferton from Sir Thomas Winnington, Bart., whose ancestors had held it from 1680.

The estate of Gaines in the parish of Whitbourne was acquired about the year 1683 by the marriage of Bellingham Freeman, esq. with the daughter of Richard Gower. Mr. John Freeman, the present possessor, is fifth in lineal succession to it. The manor of Sapey descended to its present owner, Sir Thomas E. Winnington, Bart., from his ancestor Sir Francis Winnington,

Knt., who acquired it by marriage with one of the coheirs of Humphrey Salway, M.P. in the latter half of the 17th century. Thornbury and Collington came to the Childes through the family of Pytts of Kyre, and are now the property of William Lacon Childe, whose father assumed that name (as heir of the Childes) in place of his patronymic Baldwyn. Mr. Arkwright of Hampton Court, as chief proprietor of the old Coningsby estates, and Mr. Higford Burr, as one of the representatives of the Scudamore family, both own a considerable amount of the property in the Hundred; and among recent landowners may be mentioned Mr. Thomas Evans of Moreton Court, lord of the manor of Mar-den, &c.; Mr. E. Bickerton Evans of Whitbourne Hall; the Hon. Percy Wyndham of Much Cowarne, and the late John Morley of Moreton Jeffries, all of whom have acquired their properties within the last twenty years.

There are few properties of any extent in the wild mountain district comprised in the *Hundred of Ewyas Lacy*. The principal proprietor is the Earl of Abergavenny, descended from Edward Neville, who was summoned to Parliament in 1450 as Baron Bergavenny, having married Elizabeth only child of Richard Beauchamp, Earl of Worcester, to whom these border estates had come with his wife the heiress of Despenser.

Colonel Scudamore of Kentchurch retains the old family estate in Rowstone (see vol. v. p. 315); Mr. C. G. Trafford, the Rev. John Hopton, and Colonel Feilden, are also proprietors by right of recent purchase, and Mr. H. H. Wood of the White House has inherited a portion of the property of his grandmother's ancestors, the Howarths. In this division of the county it may be noticed that many of the freehold farmers can vie with the landed gentry in the length of their ascertained lineage and the direct inheritance of their lands. It does not however come within the scope of our remarks to examine this branch of the subject, interesting as it would undoubtedly prove.

Enough has already been said to show that a very small number of the existing landowners have derived their estate through a long series of ancestors; few properties have continued for even six generations in the same family, and a large proportion has been acquired by very recent purchases.

The question may therefore arise, What were the sources whence the wealth necessary for such purchases was obtained? The families of Foley, Knight, Bailey, and Partridge, owe their importance to the iron trade; Arkwright, Hutchinson, and Heywood, to cotton; Davenport, to pottery; and Rankin, to shipping. The Shobdon estates were the purchase of a London alderman; the Mynde, of a London merchant; and Messrs. Martin and Biddulph have long been eminent bankers in the same city. The law, which Bishop Fleetwood says laid the foundation of two-thirds of the great estates in all England, has enriched the families of Cocks, Clive, Hoskyns, Gregory, Croft, and Capper; and more than one family owes its position, if not its possessions in the county, to a connection with the Bishop of the diocese. Fixity of tenure, it is evident enough, is not the rule among the Landed Gentry of Herefordshire, of whom we may dare to say:

Multa renascentur quæ jam cecidère, cadentque  
Quæ nunc sunt in honore.

C. J. R.

## DOUBTFUL PEDIGREES.

### McKERRELL OF HILLHOUSE, CO. AYR.

This, which is an Ayrshire family of some standing, appears in the *Landed Gentry* for 1846, and, as the pretensions put forth at the outset of the "lineage" are quite inconsistent with the facts of history, they demand exposure; the rather that I observe in the latest edition—that of 1868—the compiler, whoever he may be, undeterred by the admonitions addressed to all such offenders by the learned author of *Popular Genealogists*, has simply reiterated his errors. The lineage states,—

The McKerrells have long flourished in Ayrshire, and are presumed to be of Norman origin, the name occurring on the Roll of Battle Abbey.

No surname bearing the most distant resemblance to McKerrell appears in any of the authentic Rolls of the Warriors who assembled under the standard of the Conqueror. As for the "Roll of Battle," it has been asked by my esteemed friend the editor of *The Herald and Genealogist*, not less pertinently than pithily, "*When was it made? and by whom?*" (vol. i. p. 530), questions as yet unanswered. It has been *supposed*, I believe, that the monks of Battle had a considerable share in its composition. These pious persons, quite alive to their own interest, had no scruple in inserting various names among the victors

at Hastings, trusting that their grateful descendants would duly acknowledge the compliment, and endow masses for the repose of their ancestors' souls. Such expedients were not unknown to Churchmen in the Middle Ages. They had a monopoly of writing, and made good use of it.

Kiriell, Kirel, Kirrel, or Kerrell (as at various times spelt) is a surname now very rarely to be met with. It is said to exist in Sweden, another proof of Norman origin. In Scotland the family of Hillhouse alone bears it.

The first of the name, and the most remote now in Scottish record, Sir John McKirel, distinguished himself at the celebrated battle of Otterburn, 19th Aug. 1388, by wounding and capturing Rouel de Percie, who held the second command in the English host, and whose brother, the renowned Hotspur, was made prisoner by Sir John Montgomerie (from whom spring the Earls of Eglinton) in the same sanguinary conflict.

While the historical fact is undoubted, that "Hotspur's" brother, as well as himself, was captured at Otterburn, the Ayrshire hero, "Sir John McKirel," must be relegated to the regions of mythology. Nowhere is he even *mentioned* as being at the battle by any of the chroniclers, Fordun, Froissart, or Holinshed, who have written on the subject. They, indeed, say that Keith, the Marshal of Scotland, captured Ralph de Percy; and the following is conclusive evidence that, if "Sir John McKirel" captured him, he did not finger his ransom.

There is a charter (*Reg. Mag. Sig.* p. 183), dated 28th Sept. 1391, by which King Robert III. grants to Sir Henry de Prestoune, knight, "pro redempcione D'ni Radulphi de Percy, Militis Anglici," the lands and barony of Fermartine, the town and castle of Fyvie, in Aberdeenshire, which had been resigned in Sir Henry's favour by his brother-in-law Sir James de Lyndsay. Now, Sir James, who was the "Sire de Lyndsay" as head of that house, was present at Otterburn with his kinsman the "Douglas," and there can be little doubt that Sir Henry de Prestoune was there also. The Earl of Crawford (in the *Lives of the Lindsays*, vol. i.) has given the story so picturesquely told by Froissart, how his ancestor Sir James, after making Sir Matthew Redman, the Governor of Berwick, prisoner at Otterburn, and holding him to ransom, was himself the same night captured by the Bishop of Durham. His lordship adds, that he does not know "how the affair terminated between Sir James and Sir Matthew." I think the charter above quoted perhaps affords an explanation.

It at any rate effectually disposes of the pretensions of "Sir John McKirel," which are evidently without foundation. Indeed, his admiring descendants seem to have had some doubt themselves in the matter; for the "lineage" proceeds thus—

The next of the name, although probably there were six intermediate links at least, from whom the chain continues unbroken,

William McKerrel of Hillhouse, mar. in 1577 Elizabeth, dau. of John Fullerton of Dregharn, by Helen, dau. of Sir John Chalmers of Gadgirth, and was s. by his son William McKerrel of Hillhouse, whose name is among the witnesses to the marriage of James Fullerton of that ilk in 1624. His son *Magister* William McKerrel of Hillhouse appears, &c.

This last William, though it is not stated here, would seem to have filled the respectable office of Sheriff Clerk of Ayrshire, and also to have occasionally spelt his surname as "McKerrow." He was also an "Elder" in the Church of Ayr, and a strong partisan of the Rev. John Welch, its minister, the son-in-law of the Reformer Knox. (See Young's *Life of Welch*, and extracts from the Ayr Records, there cited.) It therefore surprises one to find that the son of such a stanch Presbyterian is said in the lineage to have "married about the year 1672 Elizabeth Wallace, daughter of the *Bishop* of the Isles," thus countenancing Prelacy!

There is not much to remark regarding the remaining members of the lineage, except that several of them followed the lucrative trade of silk-manufacturers in the town of Paisley about the middle and close of last century, and intermarried with the Fultons of the same town, a family also of note in the silk trade. As commerce has its heroes, as well as war, I do not see any reason why an accurate Pedigree should omit to chronicle in his true colours the following *Laird* of Hillhouse, "John McKirrell, silk manufacturer," who "in the year 1759 manufactured the first silk web ever was wrought in Paisley," but, "at the end of said web, Mr. McKirrell dropt the silk branch for some time, and sold his silk on hand and other utensils to Mr. Humphrey Fulton and Sons," &c. (Crawford's *Renfrewshire*, ed. 1782, p. 322.) This was a most important event in the History of Paisley; and, being authentic, was better worthy of commemoration than the fabulous exploits of the mythical "Sir John" of Otterburn.

I shall close these observations with a few remarks on the Arms.

In the shield, Azure, on a fesse or three lozenges gules within a bordure engrailed of the second, one may perhaps recognize an allusion to the weaver's beam and shuttles?

But the crest, "a Roman soldier on his march, with *standard* and utensils, all proper," is rather astounding. Let any one acquainted with classical antiquities, figure to himself the heavy-armed legionary of Rome, with the pile of *impedimenta* which each soldier bore on his shoulders in marching order, and all this forming the head-gear of a mediæval knight! Did this figure of fun adorn the casque of

Sir John McKirel as he bore down, lance in rest, on the doomed "Rouel de Percie"? or is it of modern sanction? and is it duly recorded in the Lyon Register? It is not noticed by Mr. Seton (*Scottish Heraldry*), at which I am surprised, as it is one of the most absurd crests ever devised. A ship in full sail is quite a manageable ornament in comparison. The Roman soldier is only paralleled by an equally ridiculous one occurring in the 1868 edition of the Landed Gentry as the property of "Cardwell of Ellerbeck, co. Lancaster," the head of which appears to be the Right Hon. Edw. Cardwell, which is, "a knight in complete armour proper, vizor up; on the top thereof a plume of feathers gules; in his dexter hand a battle-axe of the first."

Surely that right hon. gentleman does not believe that his ancestors ever bore this in battle, any more than he does the statement, "that his name is derived probably from Cardevill, as may be found on the Roll of William the Conqueror, in Stowe's Additions (?) to the Roll of Battle Abbey."

I would add, as a pendant to the foregoing Pedigree, another, on its own showing from the same quarter of Scotland, and which, if there is any truth in it, rather goes to disprove the assertion that there is but *one* family of the illustrious patronymic of McKerrell.

The "McKERLIES of Wigtownshire, Galloway" thus state their case to the public.

This ancient family, originally one of mark in Ireland, has been settled many centuries in Wigtownshire, where they held extensive possessions. Their early history was in the possession of the monks of Crossraguel, Carrick, and lost when that monastery was destroyed by fire. A Father Stewart, *some one* (sic) of the monks in the sixteenth century, who left writings, says, "The next great family are the Kerlies of Cruggleton, who, being brave warriors, stood up for the independence of their country under Wallace, and it was one of their forefathers who, at a place called Dunmoir in Carrick, was particularly instrumental in giving the Danes a notable overthrow, and took Eric the son of Swain prisoner, for which service the King gave him lands in Carrick." The last of the family, from father to son, who owned the castle and lands, was John, who, in the Inquisitions de Tutela 20 June 1583, is called therein McCarole, and also McCarloe. His descendant in direct line was John McCarloe or McKerlie, b. in 1704, died in 1796, æt. 92. He owned considerable property around Wigtown. His mother was the daughter of William Baillie of Dunraggel, the first of which family, now extinct, was Cuthbert Commendator of Glencuce Abbey, and Lord High Treasurer of Scotland for two years before he died in 1514, of the ancient family of Lamington, &c.

Robert McKerlie, the present representative, is stated to have married Marian, daughter of Peter Handyside Greenhill (uncle of the late esteemed Judge Lord Handyside), and the members of his family seem to fill respectable positions in various departments of the public service.

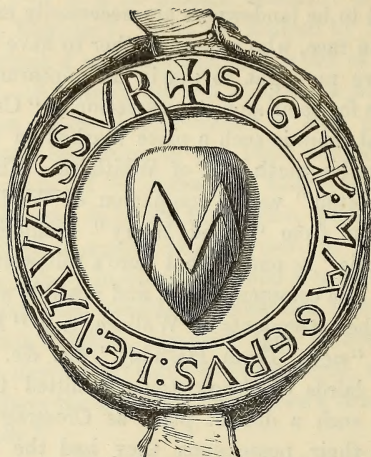
It must be remarked that on the strict principle laid down by the Editor of the 1868 edition of the *Landed Gentry*, viz. that families which have ceased to be landowners are necessarily excluded, the above valiant Gallovidian race, who appear neither to have a "seat" or other abiding-place, have no right to put in an appearance under present circumstances. As for their ancient possession of "Cruggleton Castle," I may observe that there is such a place marked on the coast of Wigtownshire a few miles north-east of Whithorn. The statement that "Kerly of Cruggleton" was a companion of Wallace, may possibly receive some colour from "Blind Harry" naming a person called "Kerly" or "Kerlie" as one of that hero's followers. But this individual is nowhere else commemorated, and possibly may be as mythical as some of the other attendants of Wallace, *e. g.* "Edward Littill his sister's son," his "nevo Thom Halliday," &c. &c. It is somewhat unlucky that the lairds of Cruggleton committed the care of their family history to such a distant place as Crossraguel Abbey, when closely adjoining their possessions they had the Priory of Whithorn, and not much further off the Abbey of Glenluce, with its commendator their near relative. Still, as it is known that the register of Crossraguel was in 1729 in the custody of the Earl of Cassillis, we shall indulge the hope that it may yet be found by the researches of the Historical MSS. Commission, in the charter-room of that family, and probably afford materials for elucidating the early history of the McKerlies.

We conclude with a word or two on the Arms. They are—Quarterly; first and fourth, Azure, a chief argent and a fret gules; second (for MacGuffog), Argent, two crosiers in saltire azure between a man's heart in chief gules, and three mullets in the flanks and base of second; third (for Stewart), Or, a fesse chequy argent and azure surmounted of a bend engrailed and in chief a rose gules.

The first and fourth quartering bears a strong resemblance to one of the quarters in the seals of Archibald and William the fifth and eighth Earls of Douglas, as depicted in Mr. Seton's *Scottish Heraldry* (Pl. ). The second seems also an adaptation from the Douglas coat; while the third quarter is the coat of the Earl of Galloway (with, it may be, the addition of a rose,) *assumed* apparently, as one of the McKerlies is said to have married a Stewart.

And it would be rather difficult to adjust the following "crest" on a warrior's helmet, viz. "The sun shining on a cross-crosslet fitchée sable placed on the dexter side of a mount vert." Motto, "In hoc signo vinces."

ANGLO-SCOTUS.



SEAL OF MAUGER LE VAVASOR, TEMP. HEN. III.  
(See *Collectanea Topog. et Genealogica*, vi. 127).

## ON THE EARLY PARTS OF SOME OF THE PEDIGREES OF THE VAVASOURS.

Hazlewood Hall, an old baronial residence in the West Riding of Yorkshire, dating back to the Conquest, is the seat of a family whose origin is beyond the range of authentic history. Like all other old families, it is said to have sprung from one of the Norman followers of the Conqueror; and, whether this be so or not, it is quite clear that its first recorded member was one of the Conqueror's contemporaries. Domesday Book is the first record of its existence. Prior to the Conquest, the village of Hazlewood—a romantic neighbourhood whose sylvan character is yet faithfully indicated by its name, the Hazle-wood still abiding near to the hall—formed two manors in the possession of Gamel son of Osmund, and Archil and his brothers. According to the first survey it was within the boundaries of the land of Ilbert de Laci, but without according to the last, and so it became a portion of the fee of William de Percy. In the Survey it is thus described:

In Izelewode Gamel and Ulf had three carucates of land to be taxed, where there may be two ploughs. Malger now has it of William; himself one plough there, and three bordars with two ploughs. Coppice wood half a mile long and four quarentens broad. The whole manor one mile long and half broad. Value in King Edward's time (blank).

This Mauger, who had also Stutton and Saxton of William, was Mauger le Vavator, a person whose surname indicates his position in the political world of his day. "The Vavasores in dignity were next to the barons and higher thanes. Selden says they either held of a mesne lord, and not immediately of the King, or at least of the King as of an honor and not in chief." Mauger le Vavasour of Hazlewood was, therefore, at the period of the Conquest, occupying his true feudal position; he was the mesne tenant of a great lord, William de Percy. In process of time the family rose from its place of secondary importance, and became one of the first of the old Yorkshire families, and one having some very curious events in its history. Like nearly all other Yorkshire families, its pedigrees have been compiled by that painstaking genealogist, John Hopkinson, whose compilations, although often in error, must ever remain the basis of future accounts of the family. In attempting to correct Hopkinson's work, I shall first give his descents (as copied by Thomas Wilson, whose MSS. are now in the Leeds Library), and then append such evidences as have fallen beneath my notice.

#### VAVASOUR OF HAZLEWOOD.

ARMS: Or, a fess dauncette sable.

Sir Mauger le Vavator, mentioned in Domesday, had issue

Sir Mauger le Vavator, who had issue

Sir William le Vavator, one of the justices 30 Hen. II. 1184. He was lord of Hazlewood, and stands witness to Matilda<sup>1</sup> (Percy) Countess of Warwick's re-foundation charter of Sallay Abbey. He had issue Robert.

<sup>1</sup> There are witnesses to Matilda's charter of 1186-7, William Vavasur, Robert and Mauger his sons, Richard Vavasur. This is the Mauger who gave to Salley the mill of Hunslet (see p. 418); in the time of Albert de Longchamp, Sheriff of York, Mauger, son of William Vavasour, gave the monks 5 marks in the mill of Hunslet.

Sir Robert Vavasour, knight, s. and h. of Sir William, mar. Juliana, d. of Gilbert Ross of Steeton, esq. and had issue

John.

Maud, mar. Theobald Walter, bro. to Hubert, Archbishop of Canterbury.

Jane, mar. Patrick Sacheverel.

About 1203, 5 John, that King granted to this Sir Robert free warren in Wernesdale. He was Sheriff of Nottingham 21 Hen. III. and Sheriff of Derby 31 Hen. III. and seven following years. He died about 40 Hen. III.

Respecting the first two Maugers I have nothing to say. It appears to be true that William le Vavasur, who had two sons, his contemporaries, Robert and Mauger le Vavasur, was the head of the house in the reign of Henry II., for in 1186 he, Godfrey de Luci and Joscelin, archdeacon of Chichester were appointed to settle the tallage of the King's demesnes in Yorkshire, and two years previously he had been collector of the profits of the See of York, then in the King's hands. His son and heir, named Robert Vavasour, occurs *circa* 1168, and at that time he had a brother Mauger. In 1201 Robert le Vavasur had a dispute with Robert de Insula, respecting lands at Westwich in Cambridgeshire, and in the same year paid 76s. for lands in Lincolnshire. This was the same Robert who in 1204 obtained from King John a charter of free warren in all his lands in Werverdale, and that he might there make a park if he pleased. In 1200 he made a fine with the King of 1200 marks for the marriage and dowry of Matilda his daughter, the widow of Theobald Walter. In the 9 John she obtained dowry of her lands in Ireland, and was married to Fulk FitzWarin. In 2 Hen. III. this Robert was Sheriff of York.<sup>1</sup> He had as contemporaries Agnes le Vavasour and Mauger le Vavasour, who paid one mark for the warranty of a charter of a mill in Hunefliet (Hunslet) against Peter de Alta Ripa. He died before 1231, in which year his son and heir John, a minor, was in the wardship of Robert de Cokefield, ex-Sheriff of Yorkshire. Besides him there was another Robert

<sup>1</sup> Who was his wife? In the 11th John Robert le Vavasur gave 300 marks and three coursers for the marriage of Julian, daughter of Thomas de Multon. In the grant of Thievesdale Quarry to York Minster, Robert le V. mentions his wife Julian.  
*Mon. Aug.*

le Vavasour, who was probably his son. 38 Hen. III. 1254, Robert le Vavasur made a fine with the King of 40 marks for the maritage of Joanna, who was the wife of Peter de Goldington, and obtained the lands in Nottingham. William le Vavasur of Otteringham is believed to have been the son of Robert. In 55 Hen. III. John, son of William le Vavasur of Otteringham, paid half a mark for an assize in the presence of John de Reygate and John de Oketon. At this period there also lived another member of the family of whom the pedigree gives no account. Between 1249 and 1269 Thomas le Vavasur of Esk refuses to renounce in favour of the convent of Melsa his right of common in Tretholme, but at length, after eight years of refusal, he remits the right.

The Robert de Vavasur, supposed to have been son of the above Robert, was also a man of importance. In 32 Hen. III. 1247, the King committed to him the custody of the counties of Nottingham and Derby, to pay into the King's Exchequer £100 for the rents of the same. Two years later the King committed to Robert le Vavasur, Sheriff of Nottingham, the honor of Peveril de Nottingham to hold during the King's pleasure. In 40 Hen. III. the Sheriff is commanded without delay to take into the King's hands the manors of Clypeston in Syrewode and Meleburn, Notts, which the King had committed to Robert le Vavasur, formerly the King's Sheriff of Notts and Derby.<sup>1</sup> Following the pedigree another step, we find:—

Sir John Vavasour, knt. s. and h. of Sir Robert, now living, 37 Hen. III. 1252; he married Alice, d. of Robert Cockfield, and had issue

William.

Mauger, of whom came the families of Weston and Newton, Acaster and Coppinthorpe.

In the 35 Hen. III. he got a grant of free warren in Wodehall, Stekelinghall, Addingham, and Seardcroft. He gave stone out of Thievesdale quarry to build Thornton abbey and Howden church.

<sup>1</sup> His tenure of office seems to have ended in a manner discreditable to himself:—1255, Eodem anno Robertus le Vavasur, Vicecomes Nottinghamiæ balivam suam perdidit; et a pluribus accusatus, ducentas marcas cum domino rege finivit. *Ann. de Dunstaplia*.

There is no doubt that this John was the son and heir of Sir Robert, and that he married Alice, daughter of Sir Robert de Cokefield, whose ward he had been. There is, however, some doubt as to whether Mauger, the founder of the families of Weston, &c. was his son. We have seen that a Mauger was contemporary with his father; and it was perhaps he who was the perpetrator of the following misdeeds:—

Temp. Hen. III. Mauger la Vavasour, whose lands and tenements in Wykeley were disposed of by our lord the King to John de Bayl-liol, seeks the restoration of his lands under the Dictum of Kenel-worth. And Robert de Hunsingere, bailiff of the said John, came and said that the said Mauger was an enemy of our lord the King, and that the said Mauger came *vi et armis* upon the manor of John le Vavasour at Hesilwode, in the county of York, John being on the side of the King, and dispossessed him of his horses, oxen, cows, and all his other goods found in the said manor, and moreover he burned the manor and the church of the town. And it is also said that the same Mauger came to the manor of the said John at Wodehall, and in the same way plundered and burned it. The said Robert also says that Mauger came to Wheteley to the manor of Richard de Boulton, who was on the side of the King, and robbed him of all his goods found there, and, having knocked down the houses, carried off the goods to his manor of Denton. And the said Richard says that Mauger was at the assault of the Castle of Richemond with other enemies of the King. Mauger denied the charge, and asked for a trial.

It is certain, then, that this Mauger was settled at Denton, and it is highly improbable that he should be the son of the above John.

In the 12 John, Mauger le Vavasur paid 300 marks and three of the best palfreys to have seizin of his land of which he was dispossessed, because he neither went to Ireland with the King nor paid the fine for not going. In 1218 he was in possession of his lands. A Mauger le Vavasur married Joanna, the third daughter of William de Dustane; she died 56 Hen. III. leaving a son and heir, Mauger, who, in 4 Edw. I. was of the age of 26 years. He appears to have died in that year, and left as his nearest heir Mauger, the son of Mauger le Vavasour, who was then more than 30 years old. Some of these Maugers belonged to the county of Northampton. 8 Edw. I. Mauger le Vavasour lately dead. Mauger is the son of the said Sir Mauger defunct, and

his nearest heir; and he will be of the age of 15 years at the Nativity of St. John the Baptist next coming in the 8th of King Edw. I. Agnes, who was the wife of the said Mauger, pledges her word that she will not marry without the King's license.

In 1285 Mauger le Vavasur held the town of Denton of the Archbishop of York, and he also held two parts of the town of Askwyth of the heirs of Percy. At the same time he held in Wulsyngton three carucates of land of Sir Simon de Kyme, and two carucates in Sharneston (Aggbrig Wap.). In 1316 a Mauger is returned as lord of Denton, but it is probable that he was the son of the Mauger just mentioned. On the 24th October 1298 Sir Mauger le Vavasur did homage and fealty at Ottelay to the Archbishop for his tenements in Denton, near Ottelay, acknowledging that he held a quarter of a knight's fee, for which he owed service at the Archbishop's Court. In 1285 Kirkby's Inquest says that Wulsyngton is held by the heir of Mauger le Vavasur, and from time to time a Mauger did homage to the Archbishop until 1345, when the last was performed. In 1310 Mauger le Vavasur proffered the service of one knight's fee for his manor of Wykele, co. Northampton; and in 1315 a Mauger was ordered to serve against the Scots, and again in 1318 Mauger le Vavasour, holding lands beyond Trent, was empowered to raise all his men and tenants. One of these Maugers we know to have been the brother of Sir William le Vavasour of Hazlewood; but the others cannot be clearly identified. Let us now turn again to the pedigree; the contemporary accounts of the two branches of the family are printed in parallel columns:—

(*Hazlewood.*)

Sir William V. s. and h. of Sir John, was a baron and peer of Parliament, temp. Edw. I. and Hen. III. He married Nicholaa, d. of Sir Stephen Waleys, and sister to Sir Richard Waleys of Newton Waleys, knt. (who bore Quarterly gules and arg. over all a bendlet or), and had issue

(*Weston.*)

Sir Mauger le V. knt. second s. of Sir John V. of Hazlewood, mar. Alice, d. of \_\_\_\_\_, and had issue

Mauger.

Sir John, of Askwith.

N.B. Sir John V. of Hazlewood gave unto this Mauger his son a toft with a croft, and an oxgang

(Hazlewood.)

Robert.

Henry (who in 1316 is certified as one of the lords of the township of Draughton, in the county of York.—*Parl. Writs.*)

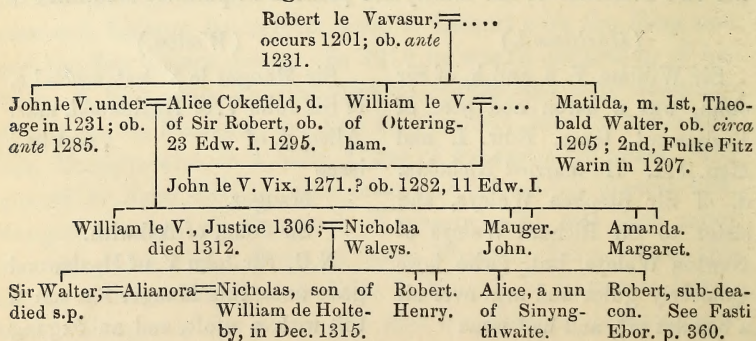
William, settled at Denby.

This Sir William had a licence from King Edw. I. to embattle Hazlewood-hall. He was famous in the French and Scottish wars. He was summoned to Parliament from the 28 Edw. I. to 6 Edw. II. when he died.

Sir William V. third son of Sir William by Nicholaa Waleys, was keeper of the castles of Nottingham, Harston, and Bolsover, temp. Hen. III. He gave stone out of the quarry in Thievesdale, near Tadcaster, to rebuild St. Peter's Cathedral in York.

In 1324 Henry le Vavasour, man at arms, is returned by the Sheriff of the county of York as summoned to attend the great Council at Westminster. Was he the above-mentioned Henry?

It is a fact, therefore, proved by evidences already adduced, and corroborated by the pedigree, that the descent of the house of Hazlewood for three generations was as follows:—



(Weston.)

of land, for the term of his life, in the town and territory of Cokesford, by his deed, sans date, witnessed by Sir William Vavasur, Sir Francis Tyas, knts. and others.

And one Robert le Mareschal of Tadcaster did confirm to this Mauger divers lands within the territory of Sutton (whereof three roods do lie within the lands of Sir William le Vavasur), by his deed, sans date. Witnesses Sir William Vavasur, Sir Francis Tyas.

Also this Sir Mauger held Wolsington of Simon de Kyme in the time of King Edw. I. which contains three carucates of land, and lies within the wapentake of the Ainsty, co. York.

For the last descent, which, it will be seen, interrupts the pedigree as given by Hopkinson, I depend upon the will of Sir William Vavasur, knt. from which I extract the following:—

1311. To be buried in the *Nova Capella* of St. Leonard of Heselwood. To Nicholaa my wife all my ploughs, with their oxen, which I have in Stubbes, Kyrkesmytheton, Little Smytheton, Stapleton, Wolmersley, Cokesford, Waddeworth, Breddeswod, and Pykeburn. To Sir Walter his son and heir a horse and suit of armour. Peter le Vavasur, rector of Staynton. His children: Henry le Vavasur and Alice a nun of Sinyngthwaite. His brethren, Mauger, John; his sisters, Amanda and Margaret. John, s. of Jordan le Vavasur; Ralph, son of William (? de Otteringham). To six chaplains celebrating in the chapel of Hesilwod, for the weal of his soul, during the first year of his decease, 30 marks. He also leaves money to celebrate masses for the souls of his dead father John and mother Alice; and mentions as legatees Eleanora le Vavasur and Alice wife of Sir John de Crepping.

This William le Vavasur, as Hopkinson says, was a great soldier, and a man of great reputation in his day. In 18 Edw. I. he obtained letters patent to crenellate his manor-house (mansum) of Hesilwod; and in the 20th he bought of the King for 30 marks the houses in the parish of St. Martin Conystrete which belonged to Bonamy the Jew, when the Jews were expelled from York. In the 22 Edw. I. he was in the expedition to Gascony. In the 26 Edw. I. he was with the army in Scotland; and in the 31st he and John le Vavasur were summoned to a council at York, to deliberate on Scottish affairs. In 5 Edw. II. he had custody of the city of York; and in 1306, as Justice Trailbaston, was summoned to attend the Parliament at Carlisle.

Nicholaa le Vavasur held Bilton and Helagh in 1316, Heselwood with its members, and Sutton. In the same year Elena, who was the wife of Walter le Vavasur, held Sigglinghall. Her character is not free from blemish; on the 28th June 1313 the Archbishop issued a commission to enjoin penance on Dame Alianora, wife of Sir Walter le Vavasour, Knt., for divers excesses, whatever they might be. This Walter was probably slain in action, as in June 1314 he was summoned to perform military service in person against the Scots, and the last we hear

of him is by letters of credence addressed to him concerning the defence of the Scottish marches on the 15th March 1315.

Robert Vavasur, apparently the second son of Sir William, seems to have died without male issue.<sup>1</sup> In the 13 Edw. III. he gave lands in Thorpe Underwood and Elmwyk to Fountains Abbey, for the souls of William le Vavasur his father and Walter his brother. In 1321 this Robert complains that Thomas de la Hay drove 300 sheep out of his manor of Friston (*super Aquam*), taking them to the King's manor of Thorne, and putting them in custody of Thomas D'Eywill, seneschal of Pontefract, as the King's chattels. This Robert will again be referred to. In 1322 Robert le Vavasour de Saltfleteby was one of the manucaptors for the good behaviour of William atte Wodehalle, on his discharge from imprisonment as an adherent of the Earl of Lancaster, and also for the payment of the fine imposed upon him.

As regards Mauger le Vavasur, in 9 Edw. I. he was summoned to answer by what warrant he claimed to have free warren in all his demesne lands of Denton, Askwyth, Draghton, Sharston, and Wolsyngton, without the license of the King and his progenitors. And Mauger comes and says that he claims free warren in all his manorial lands, by a charter of King Henry, father of the present King, given in the 37th year of his reign, which he produces, and which bears witness that the said King Henry granted to Mauger le Vavasur, grandfather to Mauger himself, and whose heir he is, that he himself and his heirs should have for ever free warren in all his manorial lands in Denton and Askwith; and for warren in other towns he says he does not claim free warren.

Jordan le Vavasur married a Katharine, and died inter 1285—1311. On the Octave of Saint Michael, 9 Edw. I., the King opposed Jordan le Vavasur and Katherine his wife, on the plea of what warrant he claims to have free warren in all his demesne lands in Wadsworth without the King's licence. The sheriff was ordered not to put off on account of the liberty of Osgotecross,

<sup>1</sup> In the 16th Edw. II. there died Robert le Vavasour, who held Heselwode manor, and generally the possessions held by William, including Cockerington and the manor of Southall in Lincolnshire, which had been held by Alice, who died in 1295. *Cal. Inq. p. Mort.*

but to distrain him through all his lands. In 1285 he held the town of Liversall, near Doncaster.

We have then, in 1285, as contemporary tenants of lands, and consequently persons of full age:—

John le Vavasur of Deneby, who held the town of Newhall and  $6\frac{1}{2}$  bovates of land in Mellesburgh of the King *in capite*;

Mauger of Denton, who held of the Archbishop;

Alice, widow of John of Heselwood;

Jordan, as above;

The heir of Mauger, holding in Wolsyngton.

And about 1280 mention is made in the *Rot. Hund.* of—

Richard le Vavasur, parson of Mirfield; and

Philip le Vavasur and Peter his brother, who, the jurors say, have obstructed the King's way at Thredelthorpe (Linc.) for this last ten years.

Remembering then that Walter, son and heir of Sir William, died s.p. and left a widow who re-married, we may resume the pedigree.

Sir Robert V. kt. s. and h. of Sir Will. mar. Constance, d. of Sir Will. Mowbray, kt. and had issue

Eliz. mar. Sir Robert Strelley of Notts.

Anne mar. Sir Henry Urswick, kt.

This Robert was summoned as a Baron to Parliament 7 Edw. II. and was a commander against the Scots.

Sir Henry V. kt. bro. and h. male of Sir Robt. mar. Constance, d. of Sir W. Mowbray, kt. and had issue

Henry.

William.

This Sir Henry the father was buried in Louth Abbey, Lincolnshire. He occurs 30 Edw. III. 1357. Query whether he or his brother married the said Constance?

The contemporary members of the Weston family were represented by

Sir Mauger le V. kt. s. and h. of Sir W. living 3 Edw. III. 1329, mar. , and had issue

William.

Thomas.

Richard (? parson of Wycheren, co. Linc. 1314).

This Sir Mauger, about 1329, gave to Thomas his second son the manor of Wolsyngton aforesaid, which Thomas mar. Johanna, d. of \_\_\_\_\_, and had issue Sir Mauger, who died s. p.; William, who married Alice, d. of \_\_\_\_\_, and had issue Margaret, who died s. p. 8 Rich. II. In the 4 Edw. III. the said Thomas gave to Richard his brother lands in Askwith, which he had of the gift of his said father. His two sons being within age, released to Sir Bernard Brocas, kt. and Agnes his wife, all their right in the manor of Denton, and shortly after both died s. p.

And the said Mauger gave to his brother John lands in Asquith (sometime the lands of John Searle), by deed, sans date, to which were witnesses Sir Robert Plumpton, Sir Patrick Westwick, Sir William Hartlington, kts. William Stopham, Peter Middleton, Roger clerk of Weston, and others.

Robert le Vavasur, second son of Sir William, died before 1st Edw. III., in which year Henry le Vavasur, his brother and heir male, made a fine for 20 marks for having license to assign the advowson of the church of Friston super Aquam near Pontefract, which was held of Philippa Queen of England, *in capite*, of the honor of Pontefract. Like the other chieftains of his line, Henry was also a great soldier. On the 5th Oct. 1 Edw. III. he was ordered to raise the men of Strafford wapentake and lead them to York, and on the 11th May, 7 Edw. III., he was ordered to meet the Chancellor and Council at York. In the same year he was appointed one of the custodians of the harbours and shores of the county, whither he was to lead troops against the allies of the Scots. On the 6th Nov. next year he was appointed with William Scargill, John de Wynteworth, John de Methelaye junior, and Adam de Waunerville, to array the men of the honor of Pontefract, and again on the 15th Dec. the same men were ordered to lead their levies to Roxburgh. They were also commanded to raise 100 hobelars and 400 archers, and of these, on the 25th, the King ordered them to select 30 hobelars and 300 archers, the strongest and most vigorous of the levy, and array them at Wetherley, but they neglected to do so. On the 12th May, 9 Edw. III., he was again ordered to raise the men of the honor of Pontefract for service in Scotland, John le Vavasur (? of Askwith) having at the same time to raise the men of the

liberty of Ripon. His services in Scotland seem to have ended in the 14 Edw. III., when he was ordered to raise men and lead them to Stirling, the siege of which place the Scots were again expected to renew.

John le Vavasur's services, commencing later than Henry's, were continued later. His first commission was on the 16th May, 7 Edw. III., when he was ordered to raise the men of Ripon. He was constantly engaged against the Scots during the same years that Henry was, and continued so until the 15th Nov. 18 Edw. III., when he was ordered to raise the men of Skyrack. This appears to have been his last service.

William le Vavasur de Deneby was also a contemporary soldier. His services extended over the period of Henry's, the two being often employed in the same enterprises. On the 15th Nov. 18 Edw. III., when John le Vavasur raised the men of Skyrack, William was ordered to raise those of the wapentake and liberty of Strafford and Tickhill. This was his last service. William le Vavasor, lord of Denningley in 1316, is returned in 1324 by the sheriff of York as a man at arms summoned by general proclamation to attend the Great Council at Westminster on Wednesday next after Ascension Day, 30th May.

Was he the same William who in 1313 was summoned to Parliament on the 3rd Sunday in Lent, 18th March, and who was afterwards commanded to continue resident in his country for the defence of the same against the Scots?

About this time there were other Williams who are not identified.

1310. William le Vavasor was one of the "servientes" performing military service due from Sir Mauger le Vavasor. A second William le Vavasor was summoned in 1308 to attend at the ceremony of the King's coronation, he being also summoned to Parliament at Westminster in the three weeks of Saint Michael.

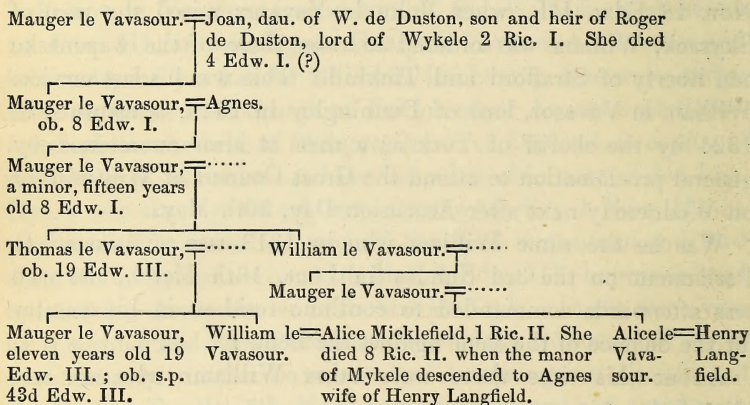
The following members of the family also want identifying:—

8 Edw. II. Richard le Vavasour was parson of Wycheren, co. Linc.

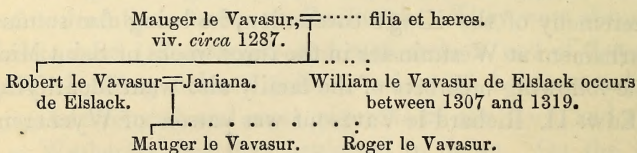
3 Edw. III. Thomas le Vavasour made a fine for 10*l.* to have and acquire the manor of Wykelye with its appurtenances. 6 Edw. III. The King for 350 marks conceded to Thomas de

Verdon, Richard Knyvett, and William de Seymor of Broughton, the custody of all the lands and tenements, with their appurtenances, in the counties of York and Northampton, which belonged to Thomas Vavasour defunct, to have and to hold them until the legitimate age of his heirs.

In the above account, which is taken from the Record Society's publications, and other original and hitherto uncollected sources, the desire has not been so much to shape a pedigree as to record facts. It is the compiler's intention to hold strictly aloof from the labours of others, unless there is in any statement which he might consult the clearest evidence of the facts alleged. That being the case with respect to the pedigree published in Bridges's *Northamptonshire*, vol. ii. p. 345, the compiler introduces it to illustrate the descent of some of the persons already named.



In vol. vi. p. 126, *Coll. Top. et Geneal.*, there are printed several charters relating to the family of Vavasour, which, with others there given, enable us to arrange the following descents:



Robert son of Mauger was the contemporary of a William Vavasur and Walter Vavasur.

A. E. W.

(To be continued).

## THE BOHUNS OF HEREFORD AND MIDHURST.

Notwithstanding the researches of M. le Prevost, in his annotations on Ordericus Vitalis ; of Stapleton (*Magni Rotuli Normanniæ*, &c. ii. 22, &c.); and of Mr. Durrant Cooper (*Sussex Archæological Collections*, vol. xx.), the early history of the Bohuns of Hereford and Midhurst, and of the connection of these houses, remains incumbered in difficulties. I venture to attempt some contribution towards the settlement of the questions involved.

The idea entertained by many writers is, that the Bohuns of Hereford and Midhurst were branches of the same family. Le Prevost, following Anselme (*Hist. Geneal.* v. 582), and Stapleton trace the Bohuns of Midhurst to the Viscounts of Beaumont and Maine as their male progenitors. Such researches as I have made lead to a dissent from both these opinions; they point to the Barons of Fougères or Fulgiers in Bretagne as the male ancestors of the Lords of Midhurst, a family wholly different from that of Bohun of Normandy, from which the Earls of Hereford derived in the male line.

Chronological considerations appear sufficient to disprove the doctrine that Savaric FitzCana, the direct ancestor of the Midhurst family, was a Beaumont. The proof given by Anselme, &c. is, that Savaric de Beaumont (son of Ralph Viscount of Beaumont and Maine, whose second wife was Cana,) in 1060, confirmed a grant of lands. This confirmation implies that he was then of full age ; but Ralph Viscount of Beaumont's first wife died in 1058 (*Anselme*), consequently Savaric de Beaumont could not be a son of the second wife, and could not be the same person as Savaric FitzCana, for in 1060 the latter could not (if son of Ralph Viscount of Beaumont) have been more than a year old.

The descent of Savaric FitzCana was different. There can be no doubt that he was surnamed Cana after his mother, a lady of high rank and distinction in Anjou, Maine, and Poitou. This lady, as we have seen, was the second wife of Ralph Viscount of Beaumont, the head of the most powerful and grand baronial family in Maine; but she had been previously married, and I

shall now state her parentage, and notice the history of the house with which she first formed an alliance.

We find in the "Gesta" of the Lords of Amboise, printed by D'Achery, and by Bouquet (x. 241), that Gelduin Lord of Saumur (afterwards Lord of Calvimont) had a son Geoffry de Calvimont and also a daughter named Chana or Cana, who married Frangualo Lord of Fulgiers, and by him had several sons and daughters.

The same chronicle further informs us (Bouquet, xi. 258), that this Geoffry de Calvimont, son of Gelduin, accompanied the Conqueror to England 1066, having previously given his niece Dionysia (daughter of Chana) in marriage to Sulpitius FitzLisoie (Lord of Amboise), on whom he thus bestowed all his lands in Blois, and Calvimont, and Tours, with the church and town of St. Cyric. Dionysia, whom he thus made his heiress in France, had been brought up by him from her infancy, as appears by the same chronicle.

The chronicle further informs us, that after the death of Queen Matilda and William the Conqueror, 1087, the same Geoffry de Calvimont, with consent of King William Rufus, gave his possessions in England to his nephew Savaric. (*Bouquet*, xi. 505.) This Savaric was evidently the same person whom we find in England as Savaric "FitzCana," and who from the above statements appears to have been nephew of Geoffry de Saumur or de Calvimont, and brother of Dionysia Lady of Amboise.

Thus far it seems that Savaric FitzCana is satisfactorily identified. We will next turn to a consideration of his paternal ancestry. We have no account of any other marriages of Cana except to the Baron of Fulgiers and the Viscount of Beaumont. It may be concluded that her children were by the first marriage. There were several sons; of whom, however, we have in England mention made only of Savaric FitzCana, and perhaps Alan and Ingeler, or Ingelger, whom, notwithstanding the absence of surname, we incline to connect with him, and who is mentioned in Domesday as tenant of estates in Sussex, Somerset, and elsewhere.

This Savaric FitzCana was thus, properly speaking, a Fulgiers, or Fougères, being the son of Frangualo (or Franco)

Baron of Fougères. The latter noble appears to have been a younger brother of Maino Baron of Fougères (from whom descended the great baronial house of that name) and son of Auffrid Baron of Fougères, who founded the Abbey of Rillé, near Fougères, c. 1027. Auffrid was the son of Maino Baron of Fougères, c. 990, who was son or grandson of Alan Baron of Fougères, living c. 900, a nephew of Junkeneus Viscount of Dinan and Archbishop of Dol, and a scion, according to Breton genealogists, of the ancient Earls of Rennes, a branch of the royal house of Bretagne.

Savaric de Fougères or "FitzCana" acquired, c. 1087, the English estates of his uncle Geoffry de Calvimont. In 1102 he had a grant of Almanesches in Normandy from Henry I., who about the same time granted to him Midhurst and other estates in Sussex, held by the service of four knights from the honour of Arundel. This noble is nowhere mentioned by the name of Bohun.

It appears, from charters referred to by Mr. Durrant Cooper and Mr. Stapleton, and for other reasons, that Savaric FitzCana had four sons:

1. RALPH, who died without issue, and was probably named after Ralph Viscount of Beaumont, his father's step-father.
2. GELDUIN FitzSavaric, who, c. 1160, made an agreement with Savaric his brother regarding the division of the estates of Ralph their brother in Sussex, when Midhurst, Eseburn, and other lands were allotted to Gelduin. He was a benefactor to Boxgrove Priory, Sussex. (*Sussex Arch. Coll.* xv. 94.)
3. SAVARIC FitzSavaric, as above stated, divided the Sussex estates with Gelduin his brother, c. 1160, and in 1165 held three knight's fees of the honour of Arundel. (*Liber Niger.*) He became heir to Engelger de Bohun his nephew, and was consequently in possession of the lordship of Bohun. He had issue Franco de Bohun, who on his father's death, having incurred for some reason the displeasure of Henry II., did not succeed to the estates to which he was entitled in Normandy and England, and remained dispossessed till the accession of Richard I. when A.D. 1090 he received a charter restoring to him Ford, Climping, &c. in Sussex as his right by inheritance, together with Bohun, as

they had been held by Savaric FitzSavaric, heir of Engelger de Bohun; and also Midhurst, Eseburn, &c. in Sussex, and other estates in Normandy, held by Savaric FitzCana, Ralph his son, and Savaric FitzSavaric, temp. Henry I. and II. At the same time a fine levied temp. Henry II. to transfer the estates to Ralph de Arden by order of the King was declared to be null, as not founded in justice, but caused by the King's indignation towards Franco and his family. This Baron was father of Engelger de Bohun, who is mentioned in the reign of Richard I. and was succeeded by Savaric de Bohun his brother, ancestor of the Barons of Midhurst, whose pedigree has been carefully traced by Mr. Cooper.

4. ENGELGER de Bohun. We here come to the most difficult points in the whole pedigree. Of this noble we find a notice in the *Testa de Neville* (p. 134), where it is stated that Bereford, Oxfordshire, was granted by William the Conqueror to Richard de Meri in augmentation of his barony, and that Richard gave it in marriage to Engelger de Bohun. Richard de Meri was lord of Bohun, and about A.D. 1080 witnessed a charter in favour of the abbey of Essay, Normandy. (*Gallia Christ.* xi. 229, *Instr.*) Stapleton has shewn (ii. 24,) that he was the son and heir of Humphry de Bohun the elder, whose eldest son Robert de Bohun died in his father's lifetime. The fact of this filiation is established by a charter granted to Marmoutiers by Richard de Meri in 1113. He had a son (then a monk at Marmoutiers) and a daughter and heir married to Engelger. (*Stapleton*, p. 26.) This marriage conveyed the barony of Bohun and other estates in Normandy and England (on Richard's death) to Engelger, who thereon became "de Bohun." The charter of King Henry I. confirming these estates to Engelger was doubtless to him and his heirs in the ordinary form. He is mentioned in 1122, when he witnessed the foundation charter of Kenilworth Priory (*Mon. Angl.* ii. 114), and in 1126, when Henry I. confirmed his grant of an eel fishery at Bohun to the monks of Essay. (*Gallia Christ.* xi. 237, *Instr.*) This Engelger de Bohun appears to have had two sons, 1 Engelger, 2 Alexander. In 1135 Engelger de Bohun and his brother Alexander held commands in the army of Geoffry Plantagenet, Earl of Anjou, when he invaded Nor-

mandy on the accession of Stephen to maintain the rights of his wife and son. Engelger and Alexander were appointed respectively governors of the castles of Argentan and Donefront, and from thence wasted Mortaine and the Cotentin with fire and sword. (*Bouquet*, xii. 531.) They were afterwards at the siege of Cherbourg (534). Alexander occurs no more after 1143, when he witnessed a charter of the Empress Matilda (*D'Assisy, Extr. des Chartes*, ii. 388); but Engelger de Bohun, c. 1165, held nine and a half knight's fees (being the Barony of Bohun) in Normandy. (Duchesne, *Feod. Normanniæ*.)

Engelger the surviving brother dying without issue, Savaric FitzSavaric his uncle was his "heir," and under the terms of the charters of Bohun succeeded him in the Barony of Bohun, in which, on his death soon after, he ought to have been succeeded by Franco his son, who however could not obtain the restitution of his estates till the accession of Richard I. as already stated.

From these facts it appears that this later owner of the barony of Bohun, and who bore its name, was not in any way descended from the family of Bohun which originally possessed it. The Bohuns of Midhurst after this possessed only the name and estates of Bohun.

I shall now advert briefly to the BOHUNS EARLS OF HEREFORD.

This family derived from "i viel Onfrei" de Bohun, who accompanied the Conqueror to England 1066, according to Wace. This Baron was, as Stapleton well remarks, advanced in years at that time. About 1060 he gave lands to St. Amand, Rouen, for his "three" wives. (*Mon. Angl.* ii. 996.) He had three sons, 1. Robert de Bohun, already mentioned, who died before his father; 2. Richard de Meri, Baron of Bohun, whose daughter and heiress carried that estate to Engelger de Fougeres, as already stated; 3. Humphry.

The younger son, Humphry de Bohun, held in 1086 the lordship of Tatesford, Norfolk, *in capite*. (*Domesday*.) This Humphrey de Bohun is sometimes supposed to be the same as

“i viel Onfrei,” who accompanied the Conqueror, but this seems very unlikely. It is not improbable that he may be the same person as “Humfridus Camerarius,” who held in 1086 twenty-six lordships *in capite*, in Suffolk, Gloucester, Wilts, Dorset, and other counties (*Domesday*); for it is incredible that so considerable a baron as the elder Humphry de Bohun seems to have been should not have received large grants in England; and yet we do not find any evidence that the Barony of Richard de Meri was of any importance in England. It may therefore be surmised that the Norman estates passed chiefly to the latter, and the English to his brother Humphry. Stapleton, indeed, expressly states that Carentan in Normandy, and the English estates, passed to Humphry (p. 26.) His son, also named Humphry, and born c. 1080, married the daughter of Edward of Sarisbury. This noble in 1131, sometime after the death of Richard de Meri his uncle, laid claim to the lordship of Meri in Normandy (*Stapleton*, 26); but it does not appear that he claimed the lordship of Bohun. He may possibly have succeeded in this claim, for certainly a portion of the Norman estates of the family descended in this male line; Humphry de Bohun’s fees in Normandy being four in number in 1165. (*Duchesne, Feod Norm.*)

Allusion has already been made to Ingeler or Engelger, who in 1086 held two hides in Chichester *in capite*, also Mereden (part of which lay in Chichester), from Earl Roger de Montgomery; Ticeham, Somerset, from Arnold de Hesdin; and Standen, Bedford, from Azelina Taillebois. This baron, from the peculiarity of his name, appears to have been a brother of Savaric FitzCana; and it further seems that Geoffry de Calvimont his uncle held in 1086 lands at Angmering, Contone, and Babington, Sussex (part being in Chichester), from Earl Roger de Montgomery (*Domesday*), which lands I presume passed to Savaric FitzCana soon after; and, when we remember that it was the usual policy of Henry I. to apportion forfeited estates amongst the mesne lords, it seems most highly probable that the original seat of this house of Bohun or Fougères was, prior to the grant of Midhurst, in the same locality.

I have seen a pedigree which derives the family of Chichester

or De Cicestre in Sussex, Somerset, and Devon to this Engelger. If it be correct, the house of Chichester derives from De Fougères in all probability.

There seems some trace of another brother of Savaric Fitz Cana in the same locality. In the *Liber Niger*, 1165, it is stated that King Henry I. gave lands of his demesne of the honour of Arundel to Alan FitzCanain (Cana), which were made a knight's fee by the Earl of Arundel. This seems to shew that Alan was a brother of Savaric FitzCana, but we do not hear of his descendants; and it appears that they failed, for in later times the barony of Midhurst was held from the honour of Arundel by the service of four knights, including apparently this fee and the three fees held by Savaric FitzSavaric in 1165.

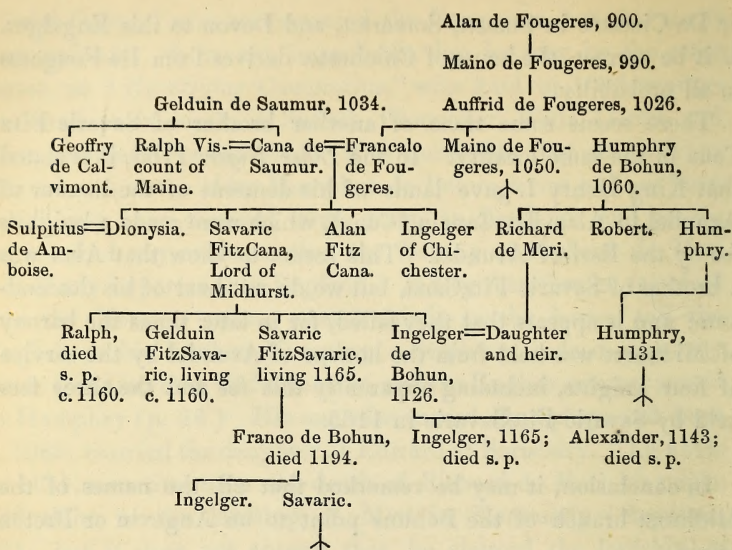
In conclusion, it may be remarked that all the names of the Midhurst branch of the Bohuns point to an Angevin or Breton origin.

"Franco" was derived from Franculo or Frangualo, a name common in the house of Fougères. We find in that family not only Frangualo (the direct ancestor of the Bohuns) but Maino surnamed "Frangulo" in 1112 (*Lobineau, Hist. Bret. preuves* 198, 199, 200); and another Fransqualo de Fougères in the middle of the same century. (*De Lisle, Journal Archæol. Association*, 1852, p. 127.)

"Savaric," again, was not a Norman name. It occurs chiefly in Maine, Anjou, and Poitou, especially in the house of the Viscounts of Thouars, and that of Mauleon, said to be a branch. (*Bouquet*, x. 295.)

"Engelger," again, another common name of the Bohuns, was Angevin, and like the last came in some way by descent from the Viscounts of Thouars, who were said to be descended from a daughter of Engelger first Earl of Anjou. (*Ibid.*)

"Gelduin," another Bohun name, was clearly Breton, and came from the grandfather of Cana. "Alan" also was a peculiarly Breton name. We find, then, in the names of this family a decided confirmation of the views herein advanced; and the arms point to a source altogether different from that of the Bohuns of Hereford.



EUSTACE AVENEL.

## THE EARLIEST HERALDS' VISITATIONS.

*To the Editor of THE HERALD AND GENEALOGIST.*

SIR,—In your review of Mr. Kittermaster's *Shropshire Arms and Lineages* you have left unnoticed the general remarks which he makes in his Preface upon the Visitations of the Herald's, and which I find he had also previously prefixed to his *Warwickshire Arms and Lineages*. They are to the following effect:—

These Visitations commenced at a very early period,—as early as the reign of Hen. IV., as we find from a note in one of the Harl. MSS. The entry is as follows: "Visitacio facta per Marischallum de Norroy ult. ann. R. Henrici 4<sup>th</sup> 1412." The regular Visitations, however, did not begin until early in the sixteenth century. Thomas Benolt, Clarenceux King of Arms, had a commission granted, 20 Hen. VIII. to visit the Counties of Gloucester, Worcester, Oxford, Wilts, Bucks, and Stafford. After this, the Visitations were regularly made until the end of the seventeenth century, the last being that of Southampton made by the Deputies of Sir Henry St. George, Clarenceux, in the year 1686.

Having hitherto entertained as true the latter of these assertions, viz. that the Herald's Visitations did not commence until after the beginning of the sixteenth century, I very much hesitate to accept the former statement, that some Visitations were made a century before,

and Mr. Kittermaster should, I think, be required to name more distinctly the authority which in this case (as, you have remarked, in most others,) he veils under a general allusion to "one of the Harleian Manuscripts." CR.

NOTE.—We have traced the source of Mr. Kittermaster's statements. They are obviously taken from the books of Mr. Richard Sims, who we find asserting, in his *Handbook to the Library of the British Museum*, 1854, at p. 239,—

The most ancient Visitation on record appears to have been made in the 14th year of Henry IV. [1412], and others in the reigns of Edward IV. and Henry VII. of which imperfect documents only have reached us.

And again, in his *Manual for the Genealogist*, &c., 1861 (Preface, p. 159)—

The most ancient Visitation on record is asserted to have been made in the reign of Hen. IV. from the existence of the following memorandum in Harleian MS. 1196 ; " Visitacio facta per Marischallum de Norroy ult. ann. R. Henrici 4ti. 1412," a period of seventy years before the incorporation of that body [the College of Herald]. The MS. in question is a folio consisting of loose pedigrees and miscellaneous heraldic scraps, some written as late as 1620 and 1627, pasted on the leaves of a printed book.<sup>1</sup> The memorandum quoted occurs amongst others on folio 76 b, and affords the sole authority for the above assertion.

But we trace the same statement further, to Noble's *History of the College of Arms*, 1805, Appendix, p. xx.—

Some suppose heralds held visitations so early as the reign of Henry IV. In the Harleian Collection is a manuscript intituled *Visitatio facta per Marischallum de Norroy, ult. ann. R. Henrici 4ti. 1412*;

and still further to Dallaway's *Enquiries into the Origin and Progress of the science of Heraldry in England*, 1793, p. 163—

The most ancient visitation of which any account is recorded is " Visitatio facta per Marischallum de Norroy ult. ann. R. Henrici 4ti. 1412." 66 C. 23, f. 75, Bibl. Harleian.

Now, this reference of Dallaway to an old shelf-mark would scarcely have enabled us to find the MS. in question ; but the No. 1196 given by Mr. Sims, in the second instance, combined with the folio which is cited by Dallaway, makes us feel confident that we have actually detected it. And a very extraordinary discovery, in some respects, it turns out to be. It is not, as Mark Noble would lead his reader to

<sup>1</sup> This is not now the case : nor has been since the year 1839, when the MSS. of this Collection were carefully remounted, and the book newly-bound, under the superintendence of the present Sir Frederic Madden.

suppose, a Visitation "intituled" so and so, but it is merely a single leaf of paper, bearing no title whatever, but betraying, as we are obliged to conclude, undeniable proofs of the gross fabrications in which some of the professional heralds of the sixteenth century were accustomed to indulge.

This document is a leaf contained in a large volume of very early genealogical fragments which form the Harl. MS. 1196. The leaf is mentioned in the printed Catalogue as pp. 75, 76, but is now paged (in pencil) 116. On one side of the paper it bears a pedigree of Allsopp of Allsopp in the Dale in Derbyshire, and on the other a pedigree of Robinson. The reference to a Visitation imagined to have been made in 1412 is only one of several similar references placed in the margin of both pedigrees, some of them, it will be seen, referring to "Visitations" attributed to a period still another century further back.

To the pedigree of Allsopp they are *literatim* as follow :

Visitatio facta p' me Bewe James principalem Regem Armor', in an<sup>o</sup> Dni 1334, an<sup>o</sup>q' regni Regis Ed. 3.

Visitatio fact' p' Marshallu' de Norray ultimo anno Henricj 4. 1412.

Thomas Holtby principales Rex Armor' fæcit hoc An<sup>o</sup> 2 Ed. 4. 1462.

Gilbertus Dethick al's Norroy principales rex Armorum, 3 H. 8. 1511.

Willm' Harvy al's Clarentieux principales Rex Armor' 1 E. 6. 1547.

Will'm' Floure al's Norry princepalis Rex Armorum fact' in an<sup>o</sup> Regni Reginæ Elizab. 22. 1580.

Vidend' probat' et recordat' p' me Ried'm Lee al's Clarentieux principalem Regem Armor' in an<sup>o</sup> Regni Regine nunc Elizab. xxxix<sup>th</sup> annoq' 1596.

To the pedigree of Robinson :

The Visitation made in y<sup>e</sup> 13. yeare of K. E. 2. 1316.

The Visitation made by Bew James principall King of Heraultes, 2 Ed. 3. 1327.

The Visitation made by Bew James principall King of Heraults y<sup>e</sup> last of K. Ed. 3. 1376.

The Certificate of Kerby quest, 20 R. 2. 1397.

The Visitation made in an<sup>o</sup> 1 H. 6. 1422.

The Visitation of Tho. Holtby principall K. of Armes. 4 E. 4. 1464.

The Visitation made by Tho. Wresley principall K. of Armes. 8 H. 7. 1492.

The Visitation made by Warcopp principall K. of Armes. 4 H. 8. 1514.

Rob't Cooke al's Clarenteux. 30 Q. Elizab. 1588.

Now, the conclusion is, unfortunately, unavoidable that these are merely strings of imaginary quotations, affecting to substantiate pedigrees that would doubtless, on examination, prove to be equally fictitious.<sup>1</sup> Mr. Bewe James, who had the good fortune to flourish for

<sup>1</sup> A different version of the Alsopp Pedigree is at (the present) folio 143 of the same volume : headed "Prosapia Nobilis et Antiquæ Familiæ Alsoppor' de Alsop in le

half a century, throughout the reign of Edward the Third, as principal King of the Heralds, is a gentleman whose name it will be difficult to find elsewhere; nor are we aware of the actual existence of Thomas Holtby as principal king of arms in the reign of Edward the Fourth. Even when the writer descends to the reign of Henry VIII. he is not more real, for Leonard Warcup in that reign was never more than Carlisle herald, and did not rise to be a king of arms.

We have every reason to believe that this MS. is in the handwriting of Richard Lee, Clarenceux, whose name occurs *per me Ricardum Lee*, with the date 1596, at the foot of the first page. It was attributed to his predecessor<sup>1</sup> Cooke by John Charles Brooke, but he must have been mistaken, as Cooke died in 1592, and the whole is from one hand. Various particulars of misdemeanors alleged both against Cooke and Lee will be found in Noble's *History of the College of Arms*, pp. 169, 171; Appx. pp. xiii. xiv.

It appears probable that the greater part, if not the whole, of the miscellaneous papers now forming the Harleian volume (1196) were sweepings from the office of Clarenceux; and it is remarkable that among them (f. 91) is a letter addressed to Sir Richard St. George, very shortly after he had succeeded Camden in that office in 1623, which is signed John Wodenothe, and dated "Shavinton, 1 Mar. 1623." John Wodenothe<sup>2</sup> was son-in-law of Cooke, Clarenceux, and in this letter he refers to "the Visitation of March King of Armes, taken in the reigne of K. Ed. 4." This gave rise to the following note (by Humphrey Wanley?) printed in the Catalogue of the Harleian Manuscripts, folio, 1808, i. 593:—

N.B. I having consulted some of the Officers of Arms about the above-mentioned Book, am told, that it still remains in their Office; being not a Visitation-book, but

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Dale in Com' Derbiæ. Ex varijs Monnmentis et Scriptis Antiquis collecta." It was written out in 1597; and the *four last* generations are probably authentic; the twelve preceding apocryphal, which are without marriages. A draft copy of this is at the end of Harl. MS. 1463 (as we have occasion to mention in another article, p. 447). The Alsopp pedigree has been published in Glover's *History of Derbyshire*, vol. ii. p. 20.

<sup>1</sup> J. C. Brooke was guilty of the indiscretion,—not to give it a harsher name, of cutting out a small portion of this very page, to serve as a specimen of the autograph of Cooke, whose name he wrote on the back. This piece has since been very carefully replaced.

<sup>2</sup> Noble (p. 170) states that Cooke's daughter Catherine was married in 1587 to John Woodnote (*sic*) of Shavington in Cheshire, esq. See the pedigree of Woodnoth of Shavinton in Ormerod's *Cheshire*, iii. 262.

a book of Pedegrees of the Nobility and Gentry of the Province of William Ballard, Marche King of Arms.

It would seem that the Elizabethan heralds had adopted the habit of calling some of their books "Visitations," that were not strictly entitled to that designation. But modern authors may be fairly expected to be more precise.

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## VISITATION OF LONDON.

THE VISITATION OF LONDON in the year 1568. Taken by Robert Cooke, Clarenceux King of Arms, and since augmented both with Descents and Arms. Edited by JOSEPH JACKSON HOWARD, LL.D., F.S.A., and GEORGE JOHN ARMYTAGE, F.S.A. London, 1869. (Being Volume I. for the year MDCCCLXIX. of *The Publications of THE HARLEIAN SOCIETY*. Established A.D. MDCCCLXIX.) Imp. 8vo. Pp. viii. 118.

We have not hitherto noticed THE HARLEIAN SOCIETY, which has been recently "instituted for the publication of inedited Manuscripts relating to Genealogy, Family History, and Heraldry." We are glad to hail the successful establishment of such a society, though we imagine some other appellation might have been more appropriate. There are great names among the old Herald, such as Wriothesley, Glover, Vincent, Charles, Segar, Dugdale, and Anstis, that deserve all honour and commemoration for the valuable genealogical stores they have left in manuscript to posterity: but which is the *facile princeps*? or which has that popular reputation which would be generally recognized by the public? Upon this question it would probably be difficult to come to a unanimous vote.

Camden already gives his name, as an historian rather than a herald, to a society that has now put forth from manuscript sources more than a hundred volumes, among which is Camden's own *Visitation of Huntingdonshire*, made in 1613. The Prospectus of "The Harleian Society" does not explain why its name has been chosen; but we conclude that it is because, next to the College of Arms, the library of the British Museum, of which the Harleian Manuscripts constitute so important a feature, is the richest receptacle of documentary evidence in regard to the Genealogy of English Families.<sup>1</sup> The great value and

<sup>1</sup> Of Copies of Visitations the library of Queen's College, Oxford, contains forty volumes; that of Caius College, Cambridge, thirty-four; "but by far the greatest collection known is that in the Harleian Library, which amounts to upwards of 200 volumes." Sims's Handbook to the Library of the British Museum, 1854, p. 240.

importance of these manuscripts have long been acknowledged.<sup>1</sup> Some of them are the original Visitation books, not only in the autographs of the visiting Heralds (as many of the copies are), but containing also the attesting signatures of the heads of the families visited. Thus, the original Visitation of Cornwall in 1620 is in the Harleian Collection, Nos. 1162 and 1164; the supposed original Visitation of Lancashire in 1533 is the Harl. MS. 2076; the original Visitation of Somersetshire, 1623, the Harl. MS. 1141; that of Wiltshire of the same date Harl. MS. 1165; and that of Dorsetshire Harl. MS. 1166; Tonge's Visitation of Yorkshire, and of parts of other Northern counties, in 1530, Harl. MS. 1499 (printed by the Surtees Society in 1863, and reviewed in our vol. ii. p. 188); with probably others, or portions of others. The transcripts, many of which are of equal authority to the originals, and from which at least the accurate reading can generally be ascertained by collation, are abundant in the Harleian Collection for every county, except in the Visitations of latest date, some of which exist only in the Office of Arms.

It is clear, therefore, that the Harleian Society has an ample field before them in the Harleian Manuscripts. The "Prospective Publications" on their list are as follows :—

<sup>1</sup> Sir Harris Nicolas published, in 1824, a brief "Index to the Heralds' Visitations in the British Museum;" and afterwards a "Catalogue of the Heralds' Visitations, with references to many other valuable Genealogical and Topographical Manuscripts in the British Museum. (Arranged under Counties.) Second Edition. 1828." 8vo.

This class of MSS. is even more fully described by Mr. Richard Sims in his *Manual for the Genealogist*, 1856, 8vo. (pp. 242-279); and in his *Handbook to the Library of the British Museum*, 1854, 12mo; and the same gentleman has proceeded from a general description of the books to one of their contents in his "Index to the Pedigrees and Arms contained in the Heralds' Visitations, and other Genealogical Manuscripts in the British Museum. By R. SIMS, 1849." 8vo.

The genealogical inquirer is now further assisted by the following Indexes to printed works :—

An Index to the Pedigrees contained in the printed Heralds' Visitations, etc., etc. By GEORGE W. MARSHALL, LL.M. 1866. 8vo. (Noticed in our vol. iii. p. 557.)

COLMAN'S General Index to Printed Pedigrees. 1866. 8vo. (Noticed *ibid.*)

Index to Printed Pedigrees contained in County and Local Histories, and in the more important Genealogical Collections. By CHARLES BRIDGER, Hon. Mem. Soc. Antiq. Newc. 1866. 8vo. (Noticed in our vol. iii. p. 557, and vol. iv. p. 368.)

The Handbook of American Genealogy. By W. H. WHITMORE. 1861. 4to. (Noticed in our vol. v. p. 358, under the title of "The American Genealogist," being that of the Second Edition. 1868.)

A Catalogue of Pedigrees hitherto unindexed. By G. W. MARSHALL. 1867. 8vo. (Noticed in our vol. iv. p. 480.)

The Visitation of Leicestershire, in 1619, by Lennard and Vincent. To be edited by John Fetherston, jun. Esq. F.S.A. (*In the press.*)

The Visitation of Nottinghamshire, in 1614. To be edited by G. W. Marshall, Esq. LL.M.

The Visitation of Devonshire, in 1620. To be edited by the Rev. F. Colby, B.D. Fellow of Exeter College, Oxford.<sup>1</sup>

The Visitation of Lincolnshire, in 1592. To be edited by Colonel Chester.

The Visitation of Oxfordshire in 1574 and 1634. To be edited by W. H. Turner, Esq.

The Visitation of Cornwall in 1620, which was only partially edited by Sir Harris Nicolas in 1838, as described in our vol. ii. p. 195.

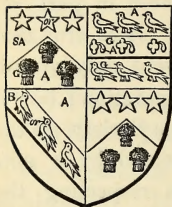
The *Visitation of London*, now published, is somewhat peculiar in its character. It contains as many as 205 articles, not all pedigrees, for some of them are merely inceptive memoranda, but yet embodying in the whole a large amount of information. The work was undertaken by Cooke, Clarenceux, in the year 1568; but the MS. which is printed (Harl. 1463) is in the handwriting of the industrious Nicholas Charles, to whom a great portion of its contents are attributable, and they are consequently of considerably later date. Some additions made subsequently to 1613 are attributed to Camden, who bought Charles's books after his death in that year. This volume is therefore in many respects fuller than the Visitation of 1568, on record at the College of Arms (G 10). There are few pedigrees of considerable length, for successful traders are not generally men of long-drawn ancestry, however they may gather fortunes for a distant posterity; but the peculiar interest in such a body of genealogy as this is to observe how the great citizens of former ages, residing as they did within the city walls, were allied by numerous inter-marriages, and formed a noble aristocracy of their own. The text has been produced by the care and supervision of Mr. Howard and Mr. Armytage, and Mr. John Davidson has contributed very complete Indexes of persons and of places, including all the marriages and all the quarterings of arms.

<sup>1</sup> This Visitation of Devonshire has been partly edited by Mr. Tuckett, whose edition is very particularly described by us in our vol. ii. p. 197. He has not been content with a mere transcript, but has enlarged the pedigrees both above and below, with information derived from many other manuscripts: but we regret to find that, owing to the Editor's long ill health and other causes, the work is not yet completed, though we understand it is almost wholly prepared in MS.

Whilst the Editors have thus provided an accurate text and adequate means of reference to it, they have failed to state in their introduction some important particulars connected with this Visitation. These are,—that the fair copy in the College of Arms (marked G 10) is in the narrative form, written on vellum, with the arms very splendidly illuminated; that the original papers from which it was compiled are also there preserved, in the volume marked F 1; and that its publication was previously undertaken, and has been in part accomplished, by the London and Middlesex Society. It is true that Society's edition has hitherto proceeded to the extent only of two small instalments,—a third we know is now in preparation; but it is upon a more extended plan than that of the Harleian Society, all the arms being engraved, and every pedigree accompanied by a note referring in detail to other sources of information respecting the persons and families described. The papers in F 1 have also contributed various interesting particulars, among which are the two marriages and the children of Sir John White, whose pedigree was never entered in the Visitation book G 10.

An enumeration of the pedigrees which occur first in the book will convey some idea of their importance. They are those of, 1. Sir William Chester, Lord Mayor in 1560; 2. Sir Roger Martyn, Lord Mayor in 1568; 3. Sir Richard Champion, Lord Mayor in 1565; 4. Sir John White, Lord Mayor in 1563; 5. Sir Alexander Avenon, Lord Mayor in 1569; 6. Sir William Harper, Lord Mayor in 1561; 7. Sir Christopher Draper, Lord Mayor in 1566; 8. Sir Thomas Rowe, Lord Mayor in 1567; 9. Sir Walter Gerrard, Lord Mayor in 1555; 10. Sir John Langley, Lord Mayor in 1576; 11. Sir William Allen, Lord Mayor in 1572; and 12. Sir Lionel Duckett, Lord Mayor in 1573. So far the London and Middlesex Society has published. Among the pedigrees which next follow are those of Sir James Hawes, Lord Mayor in 1575; Sir John Rivers, Lord Mayor in 1573; Sir Ralph Warren, Lord Mayor in 1537; Sir Richard Pipe, Lord Mayor in 1579; Alderman Bacon, the younger brother of the Lord Keeper Sir Nicholas; Sir Thomas Leigh, Lord Mayor in 1558; Sir Thomas Blanck, Lord Mayor in 1582; Sir John Branch, Lord Mayor in 1581; Sir Wolstan Dixie, Lord Mayor in 1586; Sir George Barne, Lord Mayor in 1587; the Greshams, the Osbornes, the Ishams, and many more of the senators of London, when its senators were of the first importance, alike for their commercial enterprise and its attendant wealth, and for their political influence and munificent charities.

The Harleian Editors have limited their work to furnishing a perfect copy of the text, and an accurate blason of the arms, which are tricked in the manuscript,—and the blason is not always an easy task, amidst the complicated and over-burdened coats of the sixteenth century. The engravings of the London and Middlesex Society have in this respect an advantage, and enable us to detect the following oversights of the Harleian editors :

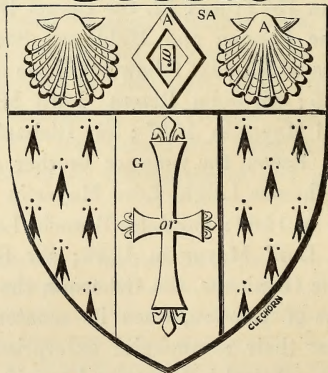
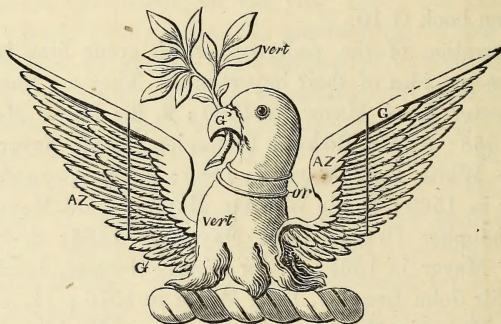


- 1 and 4. Pakington ;  
2. Washbourn ;  
3. Harding.

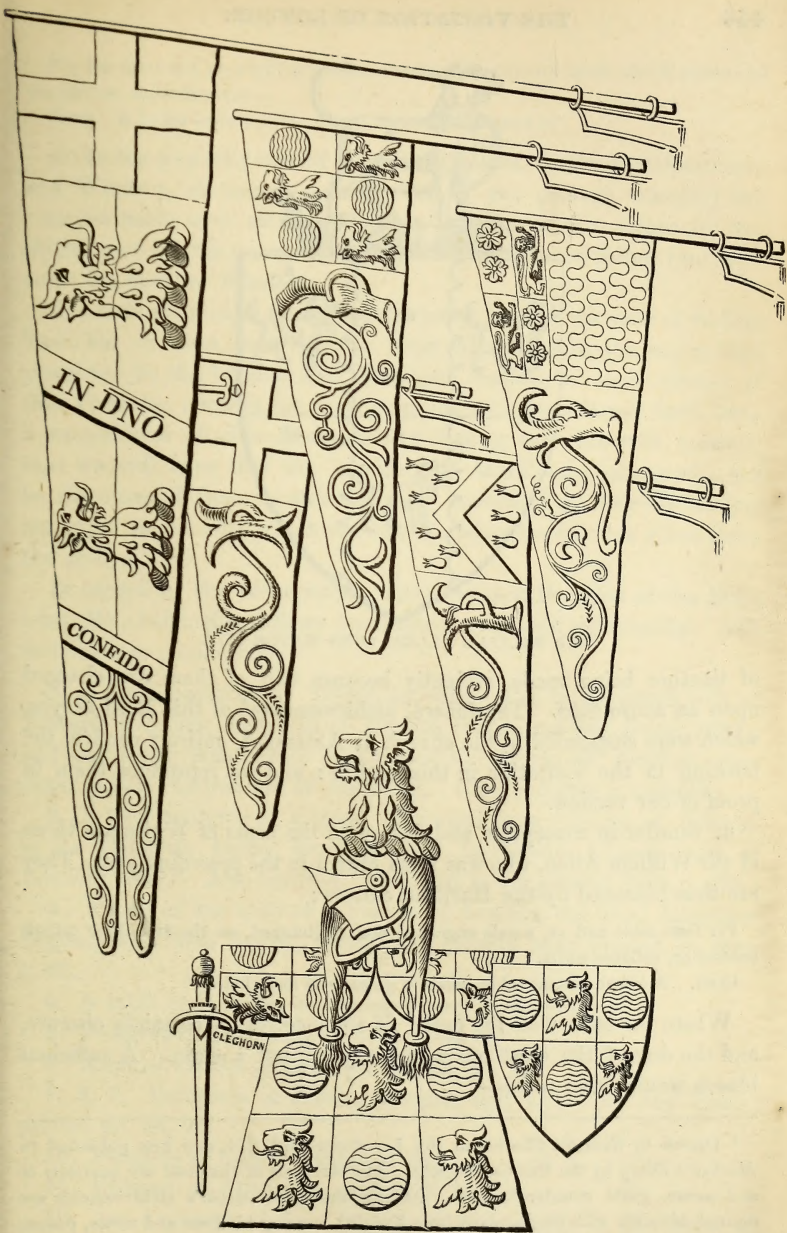
1. The quatrefoils in the coat of Washbourne (the second quartering of Pakington) are slipped.

2. The cross in the arms of Avenon is formée as well as flory.

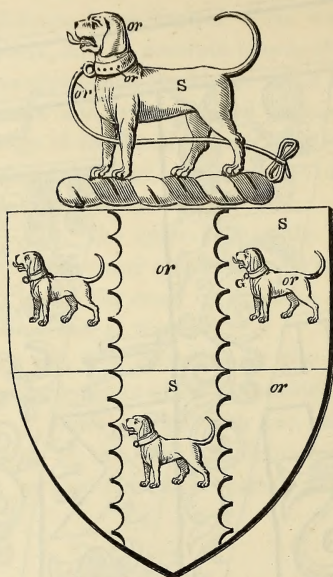
3. The roundels in the arms of White are barry wavy of six (*or undée*) argent and vert, not “plates charged with two bars wavy vert”—that is to say, they are fountains, but not fountains *proper* (*i.e.* undée argent and *azure*), the change



SIR ALEXANDER AVENON, LORD MAYOR 1569.



FUNERAL ATCHIEVEMENTS OF SIR JOHN WHITE, LORD MAYOR 1563,  
IN ALDERSHOT CHURCH, HAMPSHIRE.



SIR WILLIAM ALLEN, LORD MAYOR 1572.

of tincture being made evidently because two of them are charged upon an azure field. The funeral achievements<sup>1</sup> of this Lord Mayor, which were suspended in the church at Aldershot, entirely confirm the tricking in the Visitation in this matter: and we reproduce them in proof of our version.

4. Similar in conception and design to the arms of White are those of Sir William Allen, who was Lord Mayor in the preceding year. They are thus blasoned by the Harleian editors:

Per fesse sable and or, a pale engrailed counterchanged, on the first three talbots passant or, collared gules.

Crest. A talbot passant sable, collared gules, ears and chain or.

Where the term "on the first" if not incorrect is certainly obscure, and the dog of the crest has a line or cord, not a chain. A sufficient blason would seem to be—

<sup>1</sup> Drawn by Nicholas Charles in the Lansdowne MS. 874, and first published in *Machyn's Diary* by the Camden Society. The tinctures of the crest are quarterly or and azure, gutté counterchanged. Among the Lord Mayor's achievements are figured, together with his standard (as a Knight), bearing his crest and motto, penons of the arms of the City of London, of the Merchant Adventurers, and of the Grocers, as well as his own, his coat armour (or tabard), target (or shield), sword, helmet, crest, and mantles.

Per fess sable and or, a pale engrailed counterchanged, and three talbots passant of the second, collared gules.

Crest. A talbot passant sable, eared, collared and lined or.

5. In the quarterly coat of Duckett (Duckett, Redman, Aldborough, and Windsor, as engraved in p. 221 of our present volume,) the "mullet sable over all for difference" being in the centre of the shield, *over all the quarterings*, should when blasoned follow (not precede) the name of Windsor.

We have mentioned these inadvertencies, not for the sake of finding fault, but to show that there is some advantage in the engravings presented by the London and Middlesex Society in their edition of this Visitation; whilst the notes to which we have referred form such a compendium of civic family history during the sixteenth century, that we still hope that the London and Middlesex Society will not be discouraged from completing their undertaking, notwithstanding the rapid march with which the new Harleian Society has given them the go-bye.

In regard to the additamenta, which occur at the close of the Harleian MS. 1463, the Editors have acted somewhat capriciously. We find them to consist of—

1. A long pedigree of Taylor, brought down to Elizabeth wife of Edward Hornden, alderman of London (whose son was living 1599), and her sister Alice, wife of Thomas Farrington of London, merchant, whose children are all described. This pedigree is omitted.

2. A long pedigree of Allsopp, descended from Allsopp, of Allsopp in the Dale, co. Derby, brought down to "John Allsopp, now of London, 1597." Also omitted. (See note in our present Part, p. 438.)

3. A note of the arms of "Vernon of London, the blind Marchant Stapler, who died 1616," which the Editors have printed in their p. 97.

4. A table of Contents to the early part of the volume.

5. Pedigree of Le Maire, printed p. 93.

6. Arms of various persons, printed pp. 97, 98.

- 7, 8, 9. Pedigrees of Baron, Morgan, and Dale, (on one sheet,) printed pp. 94, 95.

10. Pedigree of Gabot, printed p. 95.

11. Pedigree of Allaunson, printed p. 96.

12. An Alphabet of 405 London Arms, chiefly in the hand of Nicholas Charles; with some additions.

13. An Alphabet (letter A deficient) of Knights, made chiefly by

Queen Elizabeth and some by Henry VIII., with their arms in most cases.

14. Arms of the Skinners, 18 Junii 1605.

15. Leaf of thirty-three coats of arms in trick, by Nich. Charles, probably all of London, for among them are three aldermen.

16. Shields also tricked by Nich. Charles, very probably from glass in some City hall or church.<sup>1</sup>

17. An Index apparently to some other book.

Now, of course the Editors had a perfect right to exercise their discretion as to what they should introduce and what not; but should they not have told the world what the MS. contains in reserve?

We confess we do not see why the Pedigrees Nos. 1 and 2 were omitted, as they belong as much to London as those afterwards mentioned which are introduced.

Having printed the thirteen coats of Londoners, and a second page of nine coats of statesmen (pp. 97, 98), the Editors should at least have mentioned the existence of the valuable list (No. 12). This may possibly be reserved for a future publication of the Harleian Society; but, whether so or no, it should not be ignored, or lost sight of.

## THE CASTLES OF HEREFORDSHIRE AND THEIR LORDS.

A History of the Castles of Herefordshire and their Lords. By the Rev. CHARLES J. ROBINSON, M.A., Vicar of Norton Canon, and Chaplain to the Earl of Caithness. London: Longman and Co. Hereford: Printed and published by Head and Hall, High Town. MDCCCLXIX. 4to. pp. xi. 145, xii.

In the middle ages the most characteristic feature of Border Counties was their Castles: which in such districts were as necessary as, in

<sup>1</sup> One at least was from Cheapside cross and the Great Conduit in the same locality, commemorating doubtless reparations of those once much valued public monuments:—

Thomas Ilam Alderman of London, as they stand thus Impaled on the Crosse in Cheape. And thus they stand alone on the great Conduit in Chepe w<sup>h</sup> an Inscription—Or, on a fess betw. six cinquefoils sable three cross-crosslets of the field; impalement, Or, on a chevron sable three eagle's heads erased of the first.



Another coat tricked in the same page is one of Percy and Lucy quartered, but differenced in a very extraordinary manner. Percy is, Per fess or and azure, a lion rampant counterchanged; Lucy, Argent, three lucies hauriant azure; the whole within a bordure gules semée of eyes argent:—evidently canting on the name of *pierce-eye*.

ordinary places, a paling to a park or a hedge to an orchard. Their ruins are still attractive from their beauty and their historical associations. The castles of the North lent a main interest to the most important work of Sir Walter Scott as an antiquary,—his *Border Antiquities of England and Scotland*; and the Northumbrian Castles have been further commemorated by the facile and vigorous pen of Mr. Wm. Sidney Gibson.<sup>1</sup> Those of *Shropshire and its Borders* have been illustrated by the historian of Shropshire (the Rev. R. W. Eyton) in the *Collectanea Archæologica* of the British Archæological Association, 1860.

We now have the *Castles of Herefordshire* presented to us: and all who open the book, if not already intimately acquainted with the county, will be more or less surprised at their number. There are forty-two castles described in this work, fifteen of which are illustrated in sketches taken by Lady Frances Vernon Harcourt, three from drawings by Mrs. Stackhouse Acton, and some few others, now destroyed, from various other older authorities. Of some of the Herefordshire castles, as of many in the more inland parts of England, scarcely one stone remains upon another: but there is generally enough in the dry mound and grass-grown site of an ancient castle to gratify the contemplation of a visitor, and to awaken his curiosity as to its history. Though the relic itself may retain no grandeur, little grace, and less utility, yet, as Sir Walter Scott once remarked, if it be “even the rudest remnant of a feudal tower, even the obscure and almost undistinguishable vestige of an altogether unknown edifice, it has power to awaken trains of fancy, and kindle in us a fellow-feeling with the ‘son of winged days’ over whose fallen habitation we pass.” (*Remarks on the Poems of Patrick Carey.*)

The Rev. Charles J. Robinson is a gentleman already well known to our readers, not only as the contributor of many other valuable papers which have been offered to their perusal, but more particularly as the writer of the general review of the existing *Landed Gentry of Herefordshire* which has appeared in three previous portions in our pages,<sup>2</sup> and is completed in our present Part. His forte in antiquities is genealogy and family history, and therefore the letterpress to the volume before us must be regarded in a very different light to such as usually accompanies books of views, the merit of which, if any, is

<sup>1</sup> Descriptive and Historical Notices of some remarkable Northumbrian Castles, Churches, and Antiquities. In three Series. 8vo. 1848, 1850, and 1854.

<sup>2</sup> Vol. v. pp. 156, 309, 493. (Parts XXVI. XXVIII. and XXX.)

chiefly descriptive, whilst the historical details are the *crambe repetita* of former writers.<sup>1</sup>

Mr. Robinson's book is not only the history of the Castles of Herefordshire, but also of their Lords: and seldom has an opportunity occurred to discuss the early history of a County in so pleasant and unencumbered a shape. Topography is thus presented under somewhat of a new guise, and one that we predict will be found so acceptable as to lead to imitation in other quarters, more particularly if the Author is encouraged to pursue his proposal of devoting his leisure to the preparation of a companion volume upon the old Manor-Houses of Herefordshire, their associations, and the fortunes of the families that have dwelt within them. But in every case the value of such works must consist in accurate local knowledge: a merely fluent and discursive pen, even if eloquent and poetical, like those which have occasionally been employed to illustrate such subjects in annuals, art-journals, and other picture-books, is apt to run into the most absurd stories of a legendary or traditional character, and at the best to furnish reading of merely ephemeral interest. Mr. Robinson's work, on the contrary, is a substantial contribution to the history of a long-neglected region, of which former accounts have been very partial and imperfect.

This reminds us of a work, very meritorious so far as it goes, which we read over page by page forty-five years ago. It is entitled *The Ancient Castles of England and Wales; engraved by WILLIAM WOOLNETH, from original drawings; with Historical Descriptions by E. W. BRAYLEY, Jun. In two volumes. 1825. 4to. and 8vo.* The castles which it describes are fifty-six in England and twenty-two in Wales. The only one of them in Herefordshire is Goodrich, of which there are three plates, two views, and a ground-plan. The writer, Edward William Brayley, was the son of Edward Wedlake Brayley, the veteran topographical compiler, well known for his share in the *Beauties of England and Wales*, a *History of Surrey*, *Histories of Westminster Abbey*, the *Palace of Westminster*, and many other books of engravings. The son did not pursue the path of antiquarian authorship. He directed his attention to physical science, and particularly to meteorology, became a frequent lecturer at the London Institution, and for many of his latter years its assiduous joint Librarian. But we may here notice that when Mr. Brayley's books were sold on the 15th June last, by Messrs. Sotheby, Wilkinson, and Hodge, he was confused with his father, by being designated in the title-page of the Sale Catalogue as "E. W. Brayley, Esq., Librarian of the London Institution, Author of the History of Surrey, &c." Mr. Edward William Brayley, F.R.S. the son, died on the 1st Feb. 1870: and is briefly noticed in the *Athenæum* of the 12 Feb. following. A list of the numerous lectures he delivered at the London Institution from 1828 to 1854 inclusive (comprising twenty-two courses) will be found in "A Descriptive Catalogue of the Lectures," &c. 8vo. 1854. Mr. Edward Wedlake Brayley, F.S.A. the father, who was for many years the librarian of the Russell Institution, died on the 23rd Sept. 1854; and there is a memoir of him by his old friend and fellow-labourer John Britton in the *Gentleman's Magazine*, N.S. vol. xlii. pp. 538, 582.

The remarks we have now made are exemplified in the very first of the Herefordshire Castles which Mr. Robinson takes in their alphabetical order. Almeley castle is at present only a grass-grown mound upon the edge of a rivulet that flows beside the parish church. The farm which occupies the site of this ancient stronghold is now called Old Court, but till lately (as Mr. Robinson tells us) it was called Old-castle, and there is some idea that it derived that name from having been originally a Roman encampment. At any event, the Oldcastles were there in the middle of the 14th century, and Mr. Robinson is disposed to conclude that they derived their name from this place rather than from another Old-castle on the banks of the Monnow:—

Though not a vestige of the castle now remains, yet its ruins were visible at the middle of the seventeenth century, and a tradition is still current that Sir John Oldcastle, the Lollard Martyr, (better known as Lord Cobham,) had once lived within its walls. (Harl. MSS. 6726 and 6868.)

This tradition is confirmed by abundant evidence, and we may venture to assert that Almeley has a much better claim to be considered the martyr's birthplace than the remote village of Oldcastle, which stands on the right bank of the Monnow, beyond the limits of Herefordshire. It is at any rate certain that in 1368 John de Oldcastle, Lord Cobham's grandfather, presented to the living of Almeley (*Reg. Charlton*), and that either he, or his son Thomas, who was sheriff of Herefordshire in 1386 and 1391, granted the advowson to the priory of Wormesley.

Sir John Oldcastle, Lord Cobham in right of his wife, was born about the year 1360, and served the office of sheriff of his native county in the 7th Hen. IV. \* \* \* To his great local influence was due the rapid spread of Lollardism throughout Herefordshire, and it was thither that he fled for shelter when his overt acts of treason had roused the anger of his *quondam* boon companion, Henry V.

In this last expression we do not feel quite satisfied that we are not carried from the region of fact into that of fiction, *i. e.* whether we have more than the authority of Shakespeare and his forerunning playwrights for Sir John Oldcastle=Sir John Falstaff having been one of the boon companions of King Henry the Fifth; but into the subject of Lord Cobham's early or subsequent character we shall not now stop to inquire: merely making note by the way that the documents detailing the full particulars of his arrest by two of the tenants of the Lord Powys have been recently published by the Powys-Land Club.<sup>1</sup> At the same time we will add that we should be pleased to see the genealogy of this memorable man more fully and clearly developed.

Some of the other most prominent historical names to which the Castles of Herefordshire introduce us, are—Baskerville at Eardisley, Bohun at Huntington, Clifford at Clifford, Cornewall at Stapleton,

<sup>1</sup> See before in the present volume, p. 100.

Croft at Croft, Devereux at Castle Frome, Lyonshall and Weobley, Grandison at Ashperton, Grey at Wilton, Harley at Brampton Bryan, Kinnersley at Kinnersley, Lacy at Longtown, Lingen at Lingen, Mortimer at Wigmore, Mortimer's Castle in Much Marcle, and Richard's Castle or Aureton, Pembridge at Pembridge, Talbot at Eccleswall and Goderich, Tregos at Eaton, Vaughan at Bredwardine, Whitney at Whitney. On each and all these families Mr. Robinson's genealogical statements may be consulted with advantage for evidences or conclusions not always to be found elsewhere.

Under the head of Bredwardine we meet with some remarks that are especially interesting. They do not relate to the castle itself, but to two effigies in the parish church, which Silas Taylor in his Herefordshire Collections absurdly assigns to John de Bredwardine and his son-in-law, the former having been lord of the place at the Norman Conquest. The earlier of these Mr. Robinson identifies, by the costume, either with Walter Baskerville, who died 42 Edw. III., or Walter de Bredwardine, the grandfather of Sir Roger Vaughan, of whom we proceed to speak. The other effigy is in the plate-armour of the beginning of the fifteenth century, and wears the Lancastrian collar of SS. There can be little doubt that Mr. Robinson has correctly appropriated it to Sir Roger Vaughan of Bredwardine, who married a daughter of Sir David Gam (Shakespeare's *Fluellen*), and who with his father-in-law and a third gallant Welshman saved the life of King Henry the Fifth at Agincourt, at the expense of their own. The King is said to have immediately knighted them before they expired. We are happy to add that this effigy, appropriated to so interesting a personage, is in good preservation, and "a very beautiful example of monumental art."

Ancient castles often receive their names from their founders, particularly if built in localities where there was previously no inhabited settlement. Thus Goderich castle, which is not mentioned in the Domesday survey, is yet supposed to have owed its origin to an invasion of the Welsh in præ-Norman times (A.D. 1055) under Griffin and Blein, which is stated in that record to have laid waste all Archenfield; and "there seems some probability in assigning its foundation to Godric Mapsonne, who is mentioned as having held Hulla (*hodie Howle*) in the adjoining parish of Walford."

Richard's Castle is conjectured (by Mr. Eyton the historian of Shropshire), with much probability, to have been founded by Richard Scrupe, or Scrob, who in 1067 was associated with the castellans of

Herefordshire in resisting Edric Silvaticus, who still continued to maintain the Saxon cause in the West; and which Scrob—or one of his race—also gave his name to Shrewsbury and the whole county of Shropshire.<sup>1</sup>

In Kinnersley we trace the name of a Saxon proprietor of a time anterior to the castle, when one Kynard or Kynworth had formed his *ley*, or clearing of pasture land, in the forest; and so Urishey was the inclosure of one Urry, but at how early a period has not been ascertained. It gave name, in turn, to a family of De la Hay: in 1398 John de la Hay Urry held the fourth part of a knight's fee in Urreyeshay of the late Roger Mortimer, Earl of March.

<sup>1</sup> We somewhat boldly advance this assertion, for we are not aware that it has been made before. Mr. Eyton says, "Richard's Castle, formerly Aureton, thus named from *Richard Scrupe* its Founder, was in Herefordshire, where also the vill of Richard's Castle still remains. But the greater part of the territory once attached to this Castle is now in Shropshire." (*Hist. of Shropshire*, v. 225.) In the Domesday survey Ludeford is held by Osbern fitz Richard, and "The same Osbern has xxiii men in Castle Auretone, and they pay (him) 10s. This castle is worth to him 20s." Osbern's father must have been Richard Scrupe, who is mentioned by name in the same survey as having held three hides at Larpol (now Yarpole), in the Saxon times, and by the name of "Richard" only as having held five and a half hides *in castellaria de Auretone*. These entries are sufficient in the estimation of Mr. Eyton (p. 226) to identify Richard the castellan of Aureton with Richard Scrupe, and that able genealogist also without hesitation regards Osbern fitz Richard as the son of Richard Scrupe. But according to the old antiquaries the British name of the town now called Shrewsbury was Pengwern, which from Giraldus to Leland downwards was interpreted as "the hill or head of alders"—though other etymologies have been advanced: see Owen and Blakeway's *Shrewsbury*, i. 6. At p. 17 of the same elaborate work it is remarked, "If they (the Britons) found it a *Hill of Alders*, they left it in nearly the same condition; for we may fairly infer the state in which the Saxons received it from them, by the appellation which it obtained from its new masters, *Scrobbes-byrig*, importing that it was a *bury*, or fenced eminence, but overgrown with *scrubs*, or *shrubs*." This had been the etymology entertained by Higden. (*Ibid.* note.) Notwithstanding, we are disposed to think that this is one of the many cases in which a local name, imagined to have a descriptive meaning, is really derived from the personal name of its original master. The town is more likely to have been called the *byrig* of the valiant *Scrupe*, than a *scrubby* hill. If we are right, Richard Scrupe has left his *nomen* to his Herefordshire castle, and his *agnomen* to the town and county—afterwards softened by the Normans to *Salop*. Referring to Kemble's *Codex Diplomaticus Ævi Saxonici*, we do indeed find one charter (No. cccxxx.) that belongs to the abbey of Malmesbury, and purports to be granted by Æthelred duke of Mercia, which is dated *anno domini Incarn' d'cccc'i.....in ciuitate scrobblensis*. We have examined the original of this, which is now the Cottonian charter VIII. 27. Kemble has not printed the last words quite accurately. They stand (in Saxon characters) *In ciuitate scrobblensis*, where the insertion of the *l*, and omission of *e*, together with the false Latinity, adds to the other suspicious features of a document pretending to be an original cyrograph of the year 901.

In matters of Armory we are bound to say that Mr. Robinson has leant too willing an ear to the legendary stories of old writers. He says of the Harleys :—

Bryan, the second son of Robert de Harley, succeeded to his mother's property in the county of Hereford, and both he and his son were conspicuous for their martial enterprise. The former, in recognition of his valour, was named by the Black Prince for the honour of the Garter; and the latter was permitted to substitute for the usual cognizance of the family the suggestive Crest of a demi-lion issuing from a tower of three turrets. (p. 9.)

Now, if there had been any solid foundation for the former assertion, it surely would not have been overlooked by the principal historians of the order, Anstis, Beltz, and Nicolas. We find that it is derived by Collins *Ex Collect. Hug. Thomas*; and so is the second story, thus more fully stated in the peerage :—

Bryan de Harley was governor of Montgomery and Dolverin castles in the reign of Henry IV., which he bravely defended against the famous Owen Glendourwy, who was forced, by his valour, to return from them; in memory whereof he (*i.e.* Bryan) changed his Crest, which was a buck's head proper, to a demi-lion gules, issuing out of the top of a tower, triple-towered, proper.

We do not know where to turn to the particular MS. of Hugh Thomas,<sup>1</sup> from which Collins derived many particulars of his article on the family of Harley; but we will only remark that, in the Herefordshire Visitation, 1569, the castle of the crest is *not* triple-towered.

Another old writer, who compiled a pedigree of the Kinnersleys, asserts that—

the armes y<sup>e</sup> Kynnardsleys bore at first were *Azure, a Lyon rampant argent*, untill one Hugh de Kynardesley went into y<sup>e</sup> Holy Land with Prince Edward *in vita H. 3*, where he received knighthood, and had y<sup>e</sup> Hierusalem Crosses added to his coate of armes. (p. 88.)

A tale, we take leave to say, founded upon the Roll of Arms t. Edw. II. in which the arms of Kynardesle first occur, under *Schropschire*, with the name of Hugh,—Sire Hugu de Kynardesle de azure crusule de argent e un lion de argent. In St. George's Roll, temp. Edw. I., the arms are the same, the christian name Richard (edit. Walford and Franks, p. 55; *Archæologia*, xxxix. p. 427.) Were we to allow that the gerating with cross-crosslets in this case commemorates the crusades, then all coats so differenced, which are very numerous, would be

<sup>1</sup> We are aware that Hugh Thomas bequeathed his MS. collections to the Earl of Oxford. We do not know of how many volumes they consisted, for they are scattered about the Harleian Collection. We have noticed as his the Harl. MSS. 4181 (in this there is at p. 167 a singular narrative of the history of his own family), 6823, 6831, and 6870; also 2218, on the first leaf of which is "No. 36." (qu. *i.e.* of Thomas's Collection?)

those of crusaders ; but this is a theory hitherto unadmitted by modern heraldic antiquaries.

In one more instance, when describing the castle of Penyard, our author has adopted another of these apocryphal stories—

There seems to have been a mint established at the castle in the sixteenth century, and silver pennies of a particular coinage have occasionally been found there. Guillim states that the family of Spence of Hangwest co. Ebor. bore for their arms *circa* 1638 Azure, three Penyard pence proper. We cannot find that the family was connected with the place, and probably these bearings were assumed solely on account of the punning allusion contained in them. (p. 117.)

Mr. R. here entertains a wholesome doubt on the armorial feature of the tale; but should he not also have intimated some incredulity regarding its numismatic aspects? Is not the mint a myth? and were not the silver pennies, if actually borne as heraldic charges,<sup>1</sup> ordinary English coins? Mr. Robinson had opened his description of Penyard by stating that it means “the hill inclosure,” and that it stands, in accordance with its name, high upon the wooded hill-side above the village of Weston near Ross. Not a very suitable place for a mint! This legend of the Penny-yard Pence is one of those which runs through nearly the whole series of the old armorial writers, both before and after Guillim, but surely it is one of the most absurd of their many absurdities. We find it thus handed down even in Berry’s *Encyclopædia Heraldica*,

PENNY-YARD-PENCE, a small piece of coin, called by that name. See Plate xlv. fig. 22. This coin is stamped with a cross moline between twelve balls, and is called *penny-yard-pence*, from the place where they were coined, which is supposed to have been at Penny-Yard-Castle, near Ross, in Herefordshire.

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<sup>1</sup> We find another coat for Spence of Yorkshire thus blazoned, Sable, three *mill-stones* argent.

GENEALOGICAL HISTORY OF THE LEE FAMILY of Virginia and Maryland from A.D. 1300 to A.D. 1866, with Notes and Illustrations. Edited by EDWARD C. MEAD, New York. Richardson and Company, 1868.

This is a handsome and well printed volume, adorned by steel-plate engravings of various members of the family of Lee of America, to which are added several pedigrees of different branches of the same, in which the transatlantic information regarding the family in question is probably correct and reliable. But with regard to the Lees of Quarrendon, from which the Virginian family derived, through Richard Lee seventh son of Sir Robert Lee of Hulcott, knt. who went out to Virginia in the reign of King James I., we feel bound to point out the obvious and manifest errors abounding in that part of the book which professes to describe the ancient English family.

At p. 10 we read "Lionel Lee (A.D. 1192) first Earl of Lichfield raised a company of gentlemen cavaliers at the head of which he accompanied Richard Cœur de Lion in the third crusade"—a glaring anachronism and a palpable fiction. There was no "Lee, Earl of Lichfield" until six centuries afterwards, when Sir Edward-Henry Lee, fifth Baronet, was so created by King Charles II. 5th June, 1674. The statement that Ditchley was given to "Lionel Lee" for gallant conduct at the siege of Acre, has not a particle of truth in it. It is equally false that the armour of Lionel Lee is at the Tower of London. There is a figure of Sir Henry Lee, K.G. at the Tower, he having been for some years Master of the Armoury, and the figure is arrayed in some most exquisite tilting armour, which belonged to Sir Henry, but it is of the time of Queen Elizabeth.

The statements on p. 14 are equally inaccurate and equally fictitious. Any ordinary book on the ancient Peerage and Baronetage of England would have preserved the compiler from such grave and serious errors as occur in almost every paragraph of his "Introduction," and render this part of his book not only valueless but utterly misleading.

The various branches of the old Cheshire family of Lee, from which the Lees of Quarrendon sprang in the fifteenth century, are so jumbled together by Mr. Mead that it is impossible to make head or tail, beginning or end, of his narrative. The Lees of Coton Hall, the Lees of Langley, the Lees of Sussex and those of Nordley are mingled together in inextricable confusion. Instead of facts, we have assumptions founded only on the imagination of the inventor; in lieu of accuracy, an amount of the rashest jumping to conclusions that it has ever been our lot to notice.

After brushing through the ill-arranged fictions which make up the first 50 pages, we arrive at "Richard Lee," the seventh son of Sir Robert of Hulcott. This Sir Robert had an estate and mansion at Stratford Langton, Essex, where he died. He was, however, buried at Hardwick, near Aylesbury, where an old seat of the Lees called "The Lilies" adjoins the church. The will of this Richard Lee given at p. 53, in which he styles himself "Esquire, of Stratford Langton, in the county of Essex," clearly identifies him, and proves that he descended from the Lees of Quarrendon, and was actually a younger brother of the first Baronet, Sir Henry Lee, so created on May 22nd 1611. The residence that he built in Virginia he styled "Stratford" after the name of his father's mansion on the eastern side of London, as may be seen from his will. The statement, therefore, that he was one of the Lees of Coton is incorrect, and the arms represented in the frontispiece are wrong in every particular. We very much regret to find in this production, after the great improvement in recent works of American genealogy, a return to the worst faults of a generation ago.

In the matter of armory, also, we encounter in the very first page a supposition for which there is not the slightest foundation, viz. that different branches of one family, though bearing different coats, might yet be identified by a common crest. The contrary would rather be found to be the fact; though there is actually no uniform rule one way or the other. But Mr. Mead is evidently unaware that shields of arms were of earlier origin than hereditary crests.

The engraved portraits are well done, and those representing the older members of the American Lees are strikingly like the existing family portraits of the Lees of Quarrendon and Ditchley, as the writer of this notice can personally testify, possessing as he does two remarkable portraits of members of the family in the seventeenth century. We will enumerate these portraits, which are those of five generations: 1. Colonel Richard Lee, the emigrant, already described; 2. Richard Lee his son, ob. 1714; 3. Colonel the Hon. Thomas Lee, in his day one of the most prominent men in Virginia, ob. 1756; 4. General Henry Lee, ob. 1818; 5. General Robert Edward Lee, the renowned commander of the late war, and now President of Washington College, at Lexington; 6. his wife Mary, daughter of George Washington Parke Custis, who was the adopted son of George Washington, being a grandson of his wife Martha Dandridge by her former husband Daniel Parke Custis.

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A Record of the Descendants of Captain John Ayres, of Brookfield, Mass. By WILLIAM HENRY WHITMORE. Boston: Printed by . R. Marvin and Son. 1870. Royal 8vo. Pp. 55.

Captain John Ayres was of Ipswich in Massachusetts in 1648, and he removed thence to the new settlement at Brookfield, in the interior of New England, where he was slain in a fight with the Indians in 1675. His parentage has not been ascertained; but his very numerous posterity, down to the eighth generation, are (in their male lines) registered in the pages before us, after the clear and well-approved New England plan. We give further particulars in the words of the author. It is

An outline of the history of a family descended from one of the worthy pioneers in the settlement of the country, a history of which the bearers of the name have so far every reason to be proud. Although from special reasons only one branch of the family has been traced with any attempt at thoroughness, this brief record presents features characteristic of New England. Our ancestor first planting on the shores of the Massachusetts Bay, was early led to seek a new home in the fertile valleys of the centre of the colony, and died a victim to the Indian hostilities which so long threatened the existence of the commonwealth. His family returned to the safer settlements on the seaboard, and descendants are still to be found along the line from Boston northward. At the revival of the settlement at Brookfield about 1717, a part of the family returned there, and from that centre has sent forth branches to Vermont, New York, Illinois, and still farther westward. In tracing the history of these successive migrations, then, we have an epitome of the colonisation of the country. The same current has drawn off hundreds of thousands of the children of New England, until now the true New England is to be found outside of its territorial limits.

It is mainly for this reason that I have undertaken to prepare this brief history. In common with so many of the families first settled here, the Ayres family seems to be diminishing in number in Massachusetts, but to be greatly increasing, and presumably thriving, in the new States of the West. Here, however, are the records of the earlier generations, and it is a pleasant task to attempt to collect and preserve the lists, so that for the next century every one of the name may be duly cognisant of his origin.

This little pamphlet must however be regarded as but the first step. Every family should have its full history compiled, filled with those details of personal experience which are of interest to relatives and not valueless in the wider regard of the historian. It is hoped that some bearer of the name will be impelled to undertake this task before it is too late.

In the fourth generation the male descendants had already increased to twenty-nine, among whom the great majority of names of Old Testament origin is remarkable. They occur (among the twenty-nine) in this order—Jonas, Jabez, Moses, Joel, John, Jason, Jabez, Cyrus, Job, Stephen, Henry, Elijah, Sylvanus, Daniel, John, Aaron, Eleazer, Amos, Daniel, Asa, Moses, Eli, Jesse, Jude, Increase, William, Buenos,

Joseph, Benjamin. Such were the designations of these patriarchs of New England, their births ranging, be it remembered, not earlier than the latter half of the last century : but the requirements of the fast-multiplying colonists have been eked out by a great variety of others of a different complexion. Among the males we find (besides Abraham, Ebenezer, Elias, Elihu, Eliphalet, Elnathan, Enos, Ephraim, Ezra, Hazazelponi, Hiram, Jedediah, Josiah, Micaiah, Nahum, and others from the Old Testament as before,) Albert, Alexander, Alphan, Baxter, Calvin, Chester, Emilius, Everard, Horace, Jason, Jefferson, Marshall, Nelson, Onesiphorus, Pliny, Rodney, Wallace, Windsor, &c. Among the females—Abigail (frequently), Adeline, Adeliza, Almira, Alzina, Amoret, Angeline, Celia, Clara, Clarissa, Delia, Diadamia, Ella, Emilia, Freelove, Lovice, Lucinda, Lydia, Mehitabel, Miranda, Olive, Ormasinda, Patty, Persis, Rebecca, Relief, Risa, Roxanna, Ruth, Samantha, Sophronia, Thirza, and Wealthy. Some of these, it may be remarked, would not be indisputably identified as to sex, unless their marriages were also stated. When there are two baptismal names, which is generally the case in modern times, the second is frequently denoted by an initial only, a defect which always offends us in these Transatlantic genealogies.

As to the surname, the author remarks :—

There have been several families in New England bearing names similar to Ayres, and, as the spelling of this name has been varied, it has been difficult to keep the different families distinct on the records. Our family name has almost always preserved the final *s*, but it has often been spelt Eayres, Eyres, Eares, Ayers, &c.

Of families bearing a name similar but not identical, we may mention that of Eyre, descended from Dr. Simon Eyre, of Watertown, a family of high social position, now probably extinct in the male line.

We have next to notice the widely-spread family descended from John Ayer, of Haverhill. This name has occasionally been spelt Ayers, and, being found in Essex county at the same date that members of our family resided there, mistakes have been frequent in the genealogies hitherto published. I have however printed in the *New England Historical and Genealogical Register* for October, 1863, a careful account of the grandchildren of John Ayer, and I trust future genealogists will be spared these mistakes.

Of the name of Ayres there were three early colonists between whom no relationship is known or supposed to exist. These were, 1, Moses Ayres, of Dorchester, 1667, whose descendants were of Boston ; 2, Samuel Ayres, of Ipswich, whose line probably ceased after two generations ; and 3, Capt. John Ayres, of Ipswich, our progenitor.

Ayres, there can be no doubt, is merely a perversion or corruption of Eyre, or *le Eyr*, a name distinguishing the *elder* son, or heir, of a family ;<sup>1</sup> and which probably originated, in several distinct races, where

<sup>1</sup> The correspondence of the Latin *hæres* with the German *herr*, the lord or master of a family, is pointed out in the Glossary of Du Cange. See much upon the name

two brothers had received the same name in baptism, a practice which, strange as it now seems to us, was by no means infrequent in the middle ages. It required necessarily some remedy, and this was most frequently some diminutive applied to the younger brother, whereby instead of Jehan he became Jeannot or Jenkin, instead of William he became Wilmot, with a variety of similar adaptations. In other instances the eldest son was designated as *le Eyre*, and the younger as *le Frere*, whence the common names of Eyre and Ayres, Frere and Friar, for we must not conclude the latter could be descended from a holy friar!

We do not know whether our friend the Author is aware that the English Eyres, as well as the American Ayres, have been remarkably prolific; so prolific indeed, that, under the fanciful synonyme of *Hares*, they have sometimes presumed to imagine how they might overpower mankind in general, and take condign vengeance for all their by-gone persecutions and sufferings. We are perhaps speaking in riddles to some readers; but others will remember that we allude to a painting, designed, we believe, in the seventeenth century, in which Hares are represented hunting, coursing, and slaughtering the human race, and afterwards hanging, drawing, quartering, roasting, and jugging, and feasting upon their disjointed members. Such a painting we have seen at Newhouse in Wiltshire, and we have heard that another such picture<sup>1</sup> was sold by auction at Avington near Winchester, when the Duke of Buckingham parted with the property of his ancestors of the Brydges family. We believe this whimsical design has gone by the familiar name of "The World turned upside down."

collected by George Matcham, esq. LL.D., in his History of the Hundred of Frustfield, (Hoare's *Modern Wiltshire*, vol. x. pp. 54 et seq.), together with Pedigrees of the two families of Eyre of Newhouse and Eyre of Brickworth (both co. Wilts), both descended from Thomas Eyre of Salisbury, who died in 1628; and the former representing Sir Robert Eyre, successively Chief Baron of the Exchequer and Chief Justice of the Common Pleas, who died in 1735, and the latter his cousin Sir Giles Eyre, Justice of the King's Bench, who died in 1695. By a remarkable coincidence the heiress of the latter was married to Thomas Bolton the first Earl Nelson (nephew and heir of Horatio Lord Viscount Nelson, K.B.), and the heiress of the former to George Matcham, esq. LL.D. above mentioned (another nephew of our great naval hero), who is also in remainder to that Earldom. (At p. 106 of the same volume is a pedigree of Eyre of the City of Salisbury.)

<sup>1</sup> A friend reminds us that the Coningsbyes, whose armorial bearing is three conies, indulged in the same fancy. There is, or was, such a picture at their former mansion of Hampton Court, in Herefordshire; the triumphant quadrupeds, in this case, being Conies, or Rabbits, instead of Hares.

## HERALDIC CHRONICLE FOR 1869.

*(Continued from p. 382.)*

[The plan upon which this Chronicle is compiled is set forth in our Vol. II. p. 363. It does not undertake to record merely personal honours; but is confined to the Creations, Revivals, and Extinctions of Hereditary Dignities; the Extinctions of Ancient Families; Changes of Surname and Arms; the deaths or promotions of Heralds, with brief biographical notices of them and of other eminent Genealogists.]

*March 4.* Died, aged 75, Mr. JOHN NOWELL, of Farnley Wood, in the parish of Almondbury, co. York. He was born there March 1, 1794, and "somewhat late in life applied himself with great diligence to the examination of the history and antiquities of his native parish, and the genealogies of families connected with it." When more than 70, he commenced making a complete copy of the earlier parish registers of Almondbury, which were in a decayed condition; and he finished his task, comprising more than 500 folio pages, after close application for many months. (Extracted from a longer notice in Part I. of *The Yorkshire Archæological and Topographical Journal*, issued to members of the Huddersfield Archæological and Topographical Association, of which the deceased was one of the founders and Vice-Presidents.)

*March 16.* The royal assent was given to a Bill relieving the Laird of Kennet (co. Clackmannan,) Alexander Hugh Bruce, esq. and the heirs for the time being of the body of Michael first LORD BALFOUR OF BURLEY (in the Peerage of Scotland) from the effect of the attainder (1715) of Robert fifth Lord Balfour of Burley. A claim to this dignity was made by the late Robert Bruce, esq. of Kennet, who died in 1864; but no decision was pronounced by the House of Lords until the 21st July 1868, when the Committee for Privileges resolved that the present Laird of Kennet had made out his claim, and was only debarred from inheriting the peerage by the attainder of 1715. At the same time they resolved that he had not made out his claim to the Barony of Kilwinning. On the 21st June 1869, on the Act of Parliament recently passed being produced, the Committee for Privileges resolved that Mr. Bruce of Kennet had made out his claim. The new Lord Balfour of Burley attained his majority on the 13th of January 1870. There was a competing claim for this Barony on behalf of Francis Walter Balfour of Fernie, co. Fife, esq. late Major in the Rifle brigade, which had been running parallel in the House of Lords with that of Mr. Bruce of Kennet from the session of 1862.

*March 27.* Created a BARON of the United Kingdom: the Rt. Hon. Sir John Laird Mair Lawrence, Bart., G.C.B., G.C.S.I., (lately Viceroy and Governor-general of India,) by the title of Baron *Lawrence* of the Punjab, and of Grately, co. Southampton.

*April 6.* Created a BARON of the United Kingdom: the Rt. Hon. Sir James Plaisted Wilde, Knt. (Judge of H. M. Court of Probate, and Judge

Ordinary of H. M. Court of Divorce and Matrimonial Causes,) by the title of Baron *Penzance* of Penzance, co. Cornwall.<sup>1</sup>

April 7. JOHN RICHARD WALBRAN, esq. F.S.A., died at Ripon, aged 52. Mr. Walbran's first work was a *Genealogical Account of the Lords of Studley Royal*, of which a very few copies were struck off for private friends. In 1851 he published the first part of a "*History of Gainford, in the Bishopric of Durham*," which was not continued; but an appendix of charters (about 32 pages) was put into type, but only two or three copies given away. He has also unfortunately left unfinished his *Memorials of Fountains Abbey* (edited for the Surtees Society), of which the first volume was noticed in our vol. ii. pp. 457—465, and the second was in the press. He once contemplated a still more important work, a History of the Wapentake of Claro and the Liberty of Ripon, which would have occupied two folio volumes. See further in a memoir of the deceased in the *Register and Magazine of Biography*, vol. i. p. 409.



April 9. Thomas *Leslie*, of Scriven Park, in the parish of Knaresborough, co. York, esq. late Capt. Royal Reg. Horse Guards, and Emma Louisa Catherine his wife, only dau. of Charles Slingsby late of Loft-house hall in the parish of Staveley esq., and sister and heir to Sir Charles Slingsby of Scriven Park, Bart., (see before, in p. 381,) in compliance with the will of Sir Charles, to take the name of SLINGSBY only.<sup>2</sup>

April 18. Alfred *Jackson*, a minor, the natural and reputed son of William Hodge, late one of the aldermen of Kingston-upon-Hull, deceased, in compliance with the will of his father, to take the name of HODGE only.

April 24. By the death of Sir John Edmund de Beauvoir, Knt. and Bart. the surname of DE BEAUVOIR has expired, which was assumed by him in 1825; the Baronetcy devolving on his brother, now Sir Charles Manly Browne, the third Baronet (of Ireland, 1797). Sir John "prosecuted his claim to the vast property left by Mr. de Beauvoir of Norfolk, estimated at 3,000,000*l.* but failed to substantiate his case." (Debrett's *Baronetage*.) He had married for his first wife Mary, widow of Admiral Macdougall, only dau. of Richard Wright, esq. of East Harling, Norfolk, and sole next of kin of the Rev. Peter Beauvoir, Rector of Downham, in Essex.<sup>3</sup> Whilst

<sup>1</sup> Lord Penzance is nephew to the late Lord Chancellor (Sir Thomas) Wilde, who was created Baron Truro, of Bowes, co. Middlesex, July 15, 1850. Sir Thomas Wilde took the title of Truro because he had sat in Parliament for that borough. His nephew seems to have taken that of Penzance as a *pendant* to the former.

<sup>2</sup> We here introduce, from Debrett's *Peerage and Baronetage*, the arms of Scriven (hereditary Forester of Knaresborough, as blazoned before in p. 381,) and Slingsby quarterly.

<sup>3</sup> The Rev. Peter Beauvoir (who did not style himself De Beauvoir) was son of Osmond Beauvoir, who bought Downham, and was Sheriff of Essex 1742. Osmond

his father was living, Sir John was one of those few persons in his position who claimed the ancient right of knighthood as the eldest son and heir apparent of a Baronet: and it was consequently conferred upon him in 1827. A minor heraldic incident connected with Sir John is, that he presented the shield of arms now standing over the doorway of Westminster School, to replace the former carving which he and some of his school-fellows had mutilated when boys at school.

*May 30.* By the death of Sir Robert Juckes CLIFTON, of Clifton co. Nottingham, the ninth Baronet, that title, conferred (with the first creation) in 1611, has become **Extinct**. His uncle and heir-presumptive, General Sir Arthur Benjamin Clifton, G.C.B., K.C.H., had died on the 7th of March preceding, at the age of 92.<sup>1</sup> One of the most ancient families of the country has thus become extinct; and the name is assumed (see under *Aug. 6*) by Mr. Markham, a great-nephew of the late Baronet, and a great-grandson of Archbishop Markham. Gervase de Clifton was living in 5 John, and had many descendants of his own baptismal name, of whom Sir Gervase Clifton, who died in 1666, is memorable as having been the husband of seven wives. (We propose to set forth his numerous alliances in our next volume.) The family monuments are described in Thoroton's History of Nottinghamshire and in Wotton's Baronetage.

**ARMS:** Sable, semée of cinquefoils, a lion rampant argent.

This coat was borne reversed in tincture by Monsieur John de Clyfton. (Roll temp. Ric. II.) In the reign of Edward III. "Monsire Jerves de Clifton port d'asure a une lyon d'argent, en lespaule une fleur de lys de goules."



*June 3.* The Right Hon. Sir John Cam Hobhouse, LORD BROUGHTON, G.C.B., died in Berkeley-square, aged 82; and his peerage has become **Extinct**. Having been sworn a Privy Councillor in 1832 when appointed Chief Secretary for Ireland, and having been a member of two Whig

was son of Richard de Beauvoir of Guernsey, who bought the manor of Balmes in Hackney, co. Middlesex, and died 1708. His daughter Rachael was married to Frances Tyssen, esq.; and their daughter Rachael Tyssen to Richard Benyon, esq. (ob. 1796), whose son Richard assumed the surnames of Powlett-Wright in 1814, and in 1822 that of De Beauvoir after Benyon. Latterly this gentleman styled himself Benyon de Beauvoir, and he died as Richard Benyon de Beauvoir, esq. of Englefield, Berks, in 1854. Hence is derived the name of the large district of De Beauvoir Town on the eastern side of London. The present Richard Benyon, esq. of Englefield House, is the second surviving son of William Henry Fellowes, esq. of Ramsey Abbey, by Emma, sister to the said Richard Benyon de Beauvoir: as heir to his uncle he has taken the name of Benyon, but without de Beauvoir. (These and other particulars have been already stated in our vol. i. p. 154.)

<sup>1</sup> The birth of the General was variously stated as having occurred in 1767, 1770, or 1772.

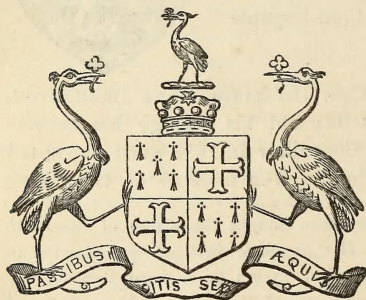
cabinets as Chief Commissioner of Woods and Forests and President of the Board of Control, he was raised to the peerage in 1851 as Baron Broughton, of Broughton Giffard, co. Wilts. Leaving daughters only, the peerage has expired; and the Baronetcy, conferred on his father Sir Benjamin Hobhouse in 1812, has devolved on his nephew, now Sir Charles Parry Hobhouse, one of the Judges of the High Court of Judicature at Calcutta.

*June 23 and 25.* It having been determined to enlarge the destination of the ORDER OF ST. MICHAEL AND ST. GEORGE (formerly confined to the Ionian Islands, the sovereignty of which was transferred to the Kingdom of Greece in 1863,) to other persons distinguished in the Colonial service, the Grand Cross of the order has been conferred on Lord Viscount Monck, H.M. Secretary of State for the Colonies, and on the Earl of Derby, K.G. (since deceased), Earl Grey, K.G., and Earl Russell, K.G. former occupants of that office; and the Second Class, or rank of Knight Commander, on several other *emeriti*. Also (*July 2*) on H.R.H. the Duke of Edinburgh, K.G. and K.T., Captain in the Fleet.

*July 6.* Benjamin Blaydes *Haworth*, of Derwent Bank, in the parish of Malton, in N. R. York. esq. (Lieut-Col. Commandant of the 1st Administrative brigade of E. Riding Yorks. Artillery Volunteers), in compliance with the will of his late father Benj. Haworth of Hull bank house in the parish of Cottingham, and Rowlston Hall in the parish of Mapleton, esq. to take the name of BOOTH after Haworth, and the arms of Booth in the first quarter.

*July 13.* By the death of Henry Labouchere Lord TAUNTON, that dignity became Extinct. It was conferred upon him 18th Aug. 1859, after he had

long served the state as a Lord of the Admiralty, Vice-President of the Board of Trade, Chief Secretary for Ireland, and Secretary of State for the Colonies. The family continues in the posterity of his late brother John Labouchere, esq. ARMS. Quarterly ermine and azure, in the 2d and 3d quarters a cross patonce or. Crest: a stork argent, holding in the beak a lotus-flower proper. Supporters as the Crest. (For the



annexed engraving we are indebted to Burke's *Peerage and Baronetage*.)

*July 31.* Robert *Hutton* of Sowber-hill, N.R. York, gent. second son of late John Hutton, esq. of Sowber-hill, D.L., to take the name of SQUIRE after Hutton, in compliance with the will of his maternal great-aunt Ann Squire, of Southfield, co. York, spinster.

*Aug. 6.* Henry Robert *Markham*, esq. of Clifton hall, Notts. to take the surname of CLIFTON in lieu of Markham, and to bear the arms of Clifton quarterly with Markham, pursuant to the will of his great-uncle Sir Robert Clifton, Bart.

*Aug. 31.* Sir CHARLES GEORGE YOUNG, Knt. GARTER KING OF ARMS, Hon.D.C.L.Oxon., and F.S.A. of London and Edinb., died at his residence in Prince's Terrace, Hyde Park. Sir Charles was introduced at a very early age into the College of Arms. His father was Mr. Jonathan Young (who died in 1826, at the age of 63) a surgeon in Lambeth, descended from a family resident at Scotby in Cumberland. His mother was Mary Waring (born at Home Lacy, co. Hereford, in 1778), and Sir Charles was born at Lambeth, April 6, 1795. He was appointed Rouge-dragon pursuivant in 1813, York herald in 1820, Registrar of the College in 1822, and Garter on the death of Sir William Woods in 1842, when he received the honour of knighthood. In 1812 he had been Esquire to Lord Viscount Strangford, on his installation as a Knight of the Bath. As an officer of the corporation of Heralds, he took an active part in the arrangement and conduct of many important ceremonies, including three Coronations and the Public Funeral of the Duke of Wellington at St. Paul's; and he accompanied no fewer than nine missions to foreign sovereigns with the Garter,—as secretary to three, Denmark 1822, Portugal 1823, and France 1825; and (since he became Garter) as joint commissioner to Saxony 1842, Turkey 1856, Portugal 1858, Denmark 1865, Belgium 1866, and Austria 1867. He received on two of these occasions the second class of the Imperial order of the Medjidie from the Sultan, and the grand cross of the order of the Conception of Villa Vicosa from the King of Portugal.

Sir Charles Young was thoroughly devoted to the best interests of his profession, as a branch of our social policy, giving that counsel and advice which on many occasions was required of him, by various high officers of the state, in an enlarged and liberal spirit, whilst at the same time he was strictly vigilant to maintain those precedents and precautions which are the best safeguards of aristocratic institutions, and which can alone protect the distinctions of birth and title from the invasion of sordid and vain-glorious pretenders. It was, however, in his regard to the literature and antiquities of Heraldry that Sir Charles Young was distinguished beyond most of his predecessors and contemporaries—at least in modern times. Though not himself the author of any great work, he was the constant and never-failing promoter of the labours of others. His services to Surtees, to Raine, to Hunter, and other topographers were important and continual. More particularly he must ever be remembered as the best friend of Sir Harris

Nicolas, and the ready and generous coadjutor of that zealous and indefatigable historical and genealogical inquirer, who acknowledges his aid in nearly every preface of his numerous works. In the *Synopsis of the Peerage* (1825) it is stated that "to his friend Charles George Young, esq. F.S.A. York Herald; the Editor owes numerous important suggestions, together with other communications of the highest value." In the *Memoir of Augustine Vincent* (1827) that "For the far greater part of the materials in these sheets the author has to offer his acknowledgments to his friend Charles George Young, esq. York Herald." In the preface (1828) to the *Roll of Arms temp. Edward II.* that "In this as in every other instance connected with his literary pursuits, the Editor has derived considerable advantage from the kindness of his friend Charles George Young, esq. York Herald": and in that to the *Roll of Henry III.* that "For having his attention called to this Roll, as well as for the transcript of it, the Editor is indebted to his friend Charles George Young, esq. York Herald, whose valuable assistance he has had to acknowledge with gratitude in each of his publications."

The late William Courthope, esq. Somerset Herald,<sup>1</sup> was for many years employed by the College as assistant to Sir Charles Young in his office of Registrar, and he was afterwards his fellow-worker in their professional business. Mr. Courthope revised the new edition of Nicolas's Synopsis, which was published in 1857 under the title of *The Historic Peerage of England*, and in the preface to that volume is this passage:—

Sir Charles G. Young, Garter, whose invaluable suggestions will be found to have been so highly appreciated by Sir Harris Nicolas in his original Preface, has continued the same good offices to the present Editor, who trusts they have not been less sensibly appreciated than on the former occasion, and by permitting his unrestrained access to his manuscripts and choice collection of Peerage cases, many important additions have been made, and former misstatements corrected. To Sir Charles G. Young both he and the public are indebted for those additions to Dugdale's Baronage which were published in the *Collectanea* from the collections of the late Francis Townsend, esq., Windsor Herald, who had contemplated a new and enlarged edition of that learned work, and it is much to be regretted that so able a genealogist did not live to carry his intentions into effect.

With characteristic liberality Sir Charles Young printed several matters, not for sale, but for private distribution. Of these, we are

<sup>1</sup> See a biographical notice in *The Herald and Genealogist*, vol. iv. p. 468.

able to name the following, (all in 8vo.) but not strictly in their order of issue, as many are without date :—

Catalogue of Works on the Peerage and Baronetage of England, Scotland, and Ireland, in the Library of Chas. Geo. Young, York Herald. 1827. 8vo. pp. 22. (See vol. ii. p. 350, of *The Herald and Genealogist*.)

Catalogue of the Arundel Manuscripts in the Library of the College of Arms. 1829. Royal 8vo. pp. xvi. 136. This catalogue was made by Mr. W. H. Black, F.S.A. The preface is written by Sir Charles Young.

An Account of the Controversy between Reginald Lord Grey of Ruthyn and Sir Edward Hastings in the Court of Chivalry in the reign of King Henry IV. 1841. Imperial 8vo. pp. 34. (Printed at the expense of Jacob Lord Hastings.)

[Five] Ancient Tables of Precedency [from 23 Richard II. to Henry VIII.] pp. 13.

Ancient Orders of Precedency, from 32 Richard II. to the Reign of James I. from precedents in the College of Arms. pp. 20.

Controversy for Precedence between John Moubray, Earl Marshal, and Robert Earl of Warwick. pp. 32.

Order of Precedence: with Authorities and Remarks. pp. viii. 84. 1851. (The greater part printed on one side only of the leaves.)

Note in reference to the retention of Title, Rank, and Precedence by the Widows of Peers, Baronets, and Knights after their Remarriage. pp. 13.

Notes in reference to the Place of the Lord Mayor in Proceedings through or within the City of London. 1852. Royal 8vo. pp. 32.

Privy Councillors and their Precedence. 1860. 8vo. 37 pages, printed on one side of the leaf only. An Appendix of nine documents (printed on both sides) extends this to 59 pages.

Serjeants at Law. Act 1 Edw. VI. c. 7. 1 page.

Letter to Mr. H. Waddington, on the relative Precedence of the Cities of Dublin and Edinburgh. 1863. (Printed in our vol. i. p. 555)

Gentlemen of Accompte residing within the Citie of London, the liberties and suburbs thereof, 1595. From Lansdowne MS. 78. With an Index. pp. 8. (This was reprinted in the *Collectanea Topographica et Genealogica*, vol. viii.)

The National Ensigns of Great Britain. (*Second title*.) The Sovereign's Arms, upon the Union of the Crown of Scotland with that of England, at the accession of King James I. 1603. With remarks upon the Order of the Thistle. Both from a MS. in College of Arms, by Stephen Martin Leake, Garter. July 1855. pp. 31.

Remarks on the Origin and Usage of Arms, the Ensigns Armorial of Foreign Nations, and the Antiquity and Honour of the Royal Arms of England. By Stephen Martin Leake, Garter. pp. 87. (From the same MS.)

On some variations in the bearing of the Royal Arms, as exhibited on Coins. By Sir Charles George Young, knt. Garter King of Arms, F.S.A., &c. pp. 3. (From the *Numismatic Chronicle*.)

Royal Family and Guardianship of its Members: being extracts from Blackstone, Rymer, and Fortescue-Aland in reference to the interposition of the Crown in respect to branches of the Royal Family. March 1865. Pp. 15.

The Lord-Lieutenant and High Sheriff. 1860. pp. 16. (This was written to show "that the Sheriff ought not to rank above the Lord-Lieutenant and

*locum tenens* of the sovereign," a contrary opinion having been propagated by Blackstone.)

Ornaments and Gifts consecrated by the Roman Pontiffs. The Golden Rose, the Cap and Sword, presented to Sovereigns of England and Scotland. pp. 35.

Cap of Dignity or Estate, called the Cap of Maintenance. pp. 4.

Cap or Chapeau. One long page.

That Crowns were only used at Coronations. pp. 2.

[Caps.] 4 pp. without a title.

Titles of Honour. By Sir Thomas St. George, Garter King of Arms (1686—1702-3). The First Part, printed in 1864, pp. 57. The Second Part, previously printed in 1860, BARONS BY TENURE, pp. 105. (The MS. from which these were printed belonged to Anstis, Garter, and was sold at the auction of his library in 1768. The remaining chapters of the MS. unprinted consist chiefly of cases illustrative of the descent of Barons by Writ.) 8vo.

Barons by Tenure: with the dates of the first Writs issued to those of their descendants who were first summoned to Parliament. pp. 35.

Creation of the Earl of Surrey for Life, anno 1514. 2 pp.

The Baronets: their petitions for a Badge of Distinction, and claims to Vestments and Decoration. M.DC.XIV.—M.DCCC.XXXV. pp. 23.

Sir Charles Young was from time to time an occasional correspondent of *The Gentleman's Magazine*, the *Collectanea Topographica et Genealogica*, *Notes and Queries*, &c. &c. His customary signature whilst York Herald was F. E.—i. e. *Fecialis Eboracensis*, and afterwards G. as Garter. To the *Collectanea Top. et Geneal.*, besides the valuable selections from Townsend's papers on the Baronage already mentioned in the passage we have quoted from Courthope, he contributed the extracts from the Registers of Westminster Abbey in vols. vii. and viii., and some remarkable articles on the younger branches of the great house of Percy in vols. ii. and vi. To the *Herald and Genealogist* (vol. i. pp. 385—400) he communicated a summary of the proceedings of "The Scrope and Grosvenor Controversy," originally prepared for Sir Harris Nicolas's unfinished work on that subject, in the production of which (by private subscription) Sir Charles Young had taken a prominent part.

And here the Editor of the present work cannot but record, with much gratitude, the uniform kindness and alacrity with which the late Garter had, for a very long course of years, encouraged and effectually aided his genealogical inquiries: the results of which have materially added to the originality and value of numberless articles in the *Gentleman's Magazine*, the *Collectanea Topographica et Genealogica*, the *Topographer and Genealogist*, and the *Herald and Genealogist*.

His services to the Society of Antiquaries are thus commemorated in the recent anniversary address of the President:—

To the *Archæologia* Sir Charles Young contributed only one paper, entitled "Remarks on the Sword, Dagger, and Ring of King James the Fourth of Scotland, preserved in the College of Arms, London." (Vol. xxxiii. 335.) To our Proceedings his communications were almost equally scanty. (Vol. i. 222; iii. 223.) The true measure of the work he did on our behalf is to be found in the Minute Books of our Council and of our Finance Committee. At a time when our finances had become involved in much confusion—I speak of some thirty years ago—Sir Charles Young took the helm, and, as Chairman of the Finance Committee, steered the vessel through the rocks and brought her safe to port. Those who remember the history and condition of the Society at the time to which I refer will think with me that we are bound to cherish warmly the memory of Sir Charles Young.

Such as he proved himself in this important instance, was Sir Charles Young in all matters of business; and it may readily be imagined how valuable were his services to the institution of which he was for twenty years the Registrar and for twenty-seven the head. Nor less efficient, in a variety of cases, were his judicious arrangements in matters of more private concern, in which he performed the office of a mediator, and a repairer of injuries and misfortunes, with a judgment and forbearance that were only surpassed by his bountiful and unobtrusive generosity, and by his constant observance and maintenance of the highest principles of honour and of truth.

Sir Charles Young remained a bachelor until the year 1854. He then married Fanny widow of Frederick Tyrrell, esq. and sister to the late Sir Astley Paston Cooper, Bart. F.R.S. Lady Young, who survives him, had no children by her second marriage, but a large family by her first husband, to whom Sir Charles was a most liberal and kind step-father, and one of whom, Mary Hersey Blunt Tyrrell, was married to Sir Charles Young's nephew Francis Young, esq. but died shortly after. By a will made in 1864 Sir Charles left as his executor his only surviving brother Henry Young, esq. of Essex-street and Sudbury Grove, Middlesex, who died a few months after him, on the 1st Dec. 1869, in his 72d year, after having been for more than forty years Solicitor to the Governors of Harrow School, and a very useful man in that locality.<sup>1</sup>

The arms of Young, granted to his father in 1817, were,—

<sup>1</sup> Sir Charles Young's next brother was James Forbes Young, esq. of Lambeth, M.D. of the Univ. of Edinburgh, D.L. and J.P. for Surrey: who died unmarried June 30 1860, aged 64. He was a collector in various ways,—among other things of engraved medical portraits, which were presented by Sir Charles to the R. College of Surgeons.

Ermine, on a bend between two eagles an anchor argent between two griffin's heads erased or (*subsequently altered to three griffin's heads erased or omitting the anchor*). His father's crest was, From water proper, an anchor erect sable, stock and ring or, the shank entwined by a serpent proper. When Rouge-dragon, Sir Charles Young acquired another crest, a dragon couchant, wings elevated, gules, collared and a chain reflexed over the back or, in the mouth a rose per pale argent and of the first, seeded or, slipped proper. Sir Charles Young, in right of his mother, quartered the arms of Waring, viz. Per pale gules and argent, a fess counter-changed, and three cross-crosslets fitchy, two and one, of the second, all within a bordure gobony or and azure.

There is a portrait of Sir Charles Young printed in lithography about the year 1847. Another was taken many years ago by the late Daniel Maclise, R.A.; and a third, by Pickersgill (but not very successful), was exhibited a few years since at the Royal Academy.

Sir Charles Young bequeathed to his successor as Garter all the manuscript volumes he had derived from his predecessors in that office, with considerable accessions. He also left a memorandum describing a very valuable selection of books from his library which he directed to be offered to the College of Arms, by whom they have been purchased. They include a large number of genealogical manuscripts, among which are eight volumes of Gloucestershire pedigrees, two others of a Visitation of Gloucestershire enlarged, together with Bigland's Gloucestershire collections in three volumes folio, from the library of the Rev. James Dallaway, Earl Marshal's Secretary, the amanuensis and assistant of Bigland, and an extensive collection of indexes and extracts from Wills in various dioceses. We may also specify as remarkable volumes, the original MS. of Glover upon *Differences of Arms*; and a Chartulary of the Church of St. Peter's, Westminster, a fine MS. in folio, which was presented to Sir C. G. Young by the late Samuel Bentley, esq. after the latter had attested its value by making an abstract of its contents, in a volume printed for private circulation, in 1836, 8vo. pp. 76. Some others of his copies of Visitations and other MSS. have been purchased by the College since his death.

From Sir Charles Young's library of printed books he has left to the College some valuable privately printed volumes; and his collection of "Peerage Claims," in 21 volumes folio, of which he has given his own estimate in the following terms,—“being the best,

most valuable, and largest collection that I know of, and particularly valuable for a Public Library;" together with the Printed Evidence in Peerage Cases, in 129 volumes; also a large collection (in 54 volumes) of Appeal Cases before the House of Lords (being such as have reference to genealogical matters, excluding commercial questions). The duplicates of his Peerage cases and evidences, and such portions of his MS. collections as were not so bequeathed, with the remainder of his printed library (which was very extensive and included most of the important genealogical works, English and Foreign, county histories, and local topography), was purchased of the executors by Mr. Newman, bookseller, in Holborn. His collection of Private Acts of Parliament,<sup>1</sup> with many others of his books, had been presented to the College in his lifetime.

Sir Charles Young's funeral took place at the Kensal Green Cemetery, where his remains were laid by the side of his beloved step-daughter and niece, already mentioned.

*Sept. 8.* By the death of James (5th) Earl of Kingston (in the peerage of Ireland) the peerage of the United Kingdom, conferred on his father the third Earl at the coronation of King George IV. in 1821, by the title of **BARON KINGSTON** of Mitchelstown, co. Cork, has become **Extinct**. The third Earl had, besides his eldest son, Edward Viscount Kingsborough, who died unmarried in 1837, two other sons who have successively inherited his dignities, Robert Henry (ob. 1867), and James. There are very numerous younger branches, and the eldest male-representative, Robert Viscount Lorton, grandson of the second Earl, has now inherited the Earldom and older titles in the peerage of Ireland.

*Sept. 14.* Died, at Sheffield, in his 67th year, **SAMUEL MITCHELL**, of Sheffield and Whiteley Wood, merchant. His name is mentioned by the Historian of South Yorkshire, i. 186, as that of "a young and zealous antiquary;" and his attention was continually devoted to local antiquities of all periods. He was one of the first members of the Sheffield Literary and Philosophical Society formed in December 1822, and he became its President in 1856. He was the author of various papers read before that institution, several of which have been published. In 1855 he issued proposals for *The History and Topography of the Hundreds or Wapentakes of High Peak and Scarsdale*: but he completed (and left in MS.) only a small portion of his task, consisting of the parishes of Bakewell, Eyam, Hathersage, Hope, Tideswell, Youlgreave, &c. He has left his manuscript collections to the British Museum. A memoir of Mr. Mitchell, written by his friend Mr. John Holland of Sheffield,

<sup>1</sup> It will be recollected that the collection of Private Acts of Parliament which was made by Sir George Naylor, Garter, is now preserved in the library of the City of London at Guildhall.

has been published in *The Reliquary* for July 1870, accompanied by a table of the eight last generations of the Mitchell pedigree, which (we are told) the deceased had successfully traced and exemplified to the reign of Edward III. *i.e.* to double the extent there printed.

Sept. 28. The Barony of CRANSTOUN, in the peerage of Scotland, became extinct by the death of Charles-Frederick the eleventh Lord. It was conferred

on the 14th Nov. 1609 on Sir William Cranstoun of Creeling, with remainder to his heirs male bearing the name and arms of Cranstoun. The last Baron, who was a clergyman and unmarried, had succeeded his elder brother only on the 18th June before his own death. ARMS. Gules, three cranes argent. Crest. A crane, its head under its wing, holding a stone in its right foot, all proper.



per. Supporters, a lady holding a branch of strawberries, and a stag. (For the annexed engraving we are indebted to Burke's *Peerage and Baronetage*.)

Oct. 7. Created BARONETS of the United Kingdom: 1. David *Salomons* of Broomhill, Tunbridge, Knt., and Great Cumberland place, Middx. esq. Alderman of London; with remainder, in default of issue male, to his nephew David Lionel Salomons, esq.; 2. Thomas *Bazley* of Tolmers, co. Herts, and Hatherop house, co. Glouc. esq.; 3. Francis *Seymour*, esq. C.B. Major-General in H.M. army;<sup>1</sup> 4. James *O'Connell* of Lakeview, Killarney, and Ballybeggan, Tralee, both co. Kerry, esq.; 5. Titus *Salt*, of Saltaire, and of Crow Nest, in the parish of Halifax, both W.R. York, esq.; 6. Joseph *Whitworth* of The Firs, in the parish of Rusholme, co. Lanc. and Stancliffe, in the parish of Darley, co. Derby, esq.; 7. William *Fairbairn* of Ardwick, in the parish of Manchester, esq.; 8. Hardman *Earle* of Allerton Town, Woolton, in the parish of Childwall, near Liverpool, esq.; 9. William *Jackson* of Birkenhead, co. Chester, esq.

Oct. 25. The Queen has been pleased to direct letters patent to be passed under the great seal of the United Kingdom, granting to Albert William Woods, esq. (Lancaster herald) the office of Garter Principal King of Arms, with the name of GARTER, and the style, liberties, and pre-eminences belonging to the said office.

Nov. 4. JOHN BRUCE, esq.<sup>2</sup> Fellow of the Society of Antiquaries, and

<sup>1</sup> Genera Seymour has now succeeded to the peerage, by the death of his cousin the Marquess of Hertford, August 25, 1870.

<sup>2</sup> A brief and very inadequate memoir of Mr. Bruce is given in *The Register and Magazine of Biography*, ii. 305. More appreciating tributes to him appeared in *Notes*

formerly its Treasurer, died suddenly at the age of 67. The memory of this excellent and very useful man will always be cherished by his surviving friends, and will be handed down to a distant posterity by his valuable historical labours: particularly by his Calendar of the Domestic State Papers of the period of Charles I. preserved in the Public Record Office; by his contributions to the *Archæologia* of the Society of Antiquaries; and by the many works he edited for the Camden Society, of which he was for some years Treasurer, and latterly for many years Director. With very accurate historical knowledge, he was not especially distinguished as a herald or genealogist; but his *Verney Papers*, from Edw. I. to 1639 (being the commencement of a work intended to have been continued further,) are interwoven into a narrative which is a perfect model for family history. Nor less interesting in the same way are his memoirs of Sir Edward Dering, prefixed to "Proceedings in the County of Kent," 1861; and those of Mr. Chamberlain the letter-writer, John Manningham the Diarist, and Sir Kenelm Digby (all printed for the Camden Society). To the pages of *Collectanea Topographica et Genealogica* (vol. vi. pp. 108—122) he contributed autobiographical and family notes of the great Sir Edward Coke, extracted from his pocket-book, or *Vade Mecum*, now preserved in the Harleian collection. Mr. Bruce had been twice married, and twice a widower: by his own desire his body was placed by the side of the late Mrs. Bruce in the Cemetery of Kensal Green. By a very brief will made on the 18th Sept. before his death he left William John Thoms, esq. F.S.A. his sole executor: and, after a few legacies, the residue of his property to his sister Anne Plummer and his sister-in-law Mary Anne Bruce. His Library has been dispersed at Sotheby's, as further noticed in the subjoined note.

and *Queries*, in *The Athenæum*, in *The Morning Post* (copied in the *Court Journal*, &c.), and in the *Birmingham Daily Post and Journal*. The first and last of these have been reprinted, together with copies of Resolutions passed by the council of the Society of Antiquaries and by the council of the Camden Society, prefixed to the Catalogue of Mr. Bruce's Library; which has been sold by Messrs. Sotheby, Wilkinson, and Hodge, on the 27th April 1870 and four following days. We may here mention that the following lots, described in the Catalogue, were withdrawn: viz. 30, 135, 136, 277, 292, 293, 295, 325, 494, and 1321. Lot 292 contained "some hundreds of Autograph Letters addressed to John Bruce, esq. from the principal Antiquaries and Literary Persons of the time," mounted on blue paper, and bound in 9 volumes. We fear that these letters, although the deceased had taken such effectual measures for their preservation, have shared the same fate with his more recent unsorted correspondence: and we cannot record the catastrophe without regret, whilst we fully admit they were not fit objects of public sale. In addition to the references given at the commencement of this note, we must also allude to the Anniversary Address of Earl Stanhope, the President of the Society of Antiquaries, delivered on the 26th April 1870. The family of Mr. Bruce have since his death presented to that Society one of his pictures, a small but very pleasing portrait in oils of Lewis Frederick Prince of Wurtemberg (ob. 1631).

*Nov. 9.* By the death of Harriet Baroness Windsor, one of the two daughters and coheirs of Other-Archer Windsor, 6th and last Earl of Plymouth (who died in 1843, when that Earldom became Extinct), the BARONY OF WINDSOR, which originated from Writ of Summons on the 3rd Nov. 1529, passed from the family which has held it for nearly three centuries and a half, to that of Clive. After the death of her sister Maria Marchioness of Downshire, who died Jan. 20, 1854, the Abeyance of this Barony, which had lasted from their father's death in 1843, was terminated in favour of Lady Harriet (then the widow of the Hon. Robert Henry Clive, younger son of the first Earl Powis,) by letters patent dated 25th Oct. 1855; and on the 8th Nov. following she took the name of Windsor before Clive. Her eldest son, the Hon. Robert Windsor-Clive, having died in 1859, she is succeeded by her grandson, Robert George, born in 1857.

*Nov. 11.* The Queen at Windsor Castle was there pleased to confer the honour of knighthood upon GARTER, and to invest him with the gold chain and badge, and to deliver to him the sceptre, of the office of Garter.

*Nov. 13.* On this day died at Cork, at the age of eighty-three, RICHARD SAINTHILL, esq. a gentleman well-known as an antiquary, and more particularly in the department of numismatics. He was descended from the ancient family of Sainthill, of Sainthill, Devonshire, and was born at Topsham in that county, on the 28th June 1787. Though he left that place in childhood, he persevered in styling himself "of Topsham" in his title-pages. His father was Captain Richard Sainthill, of the Royal Navy: who in the year 1803 took up his residence at Valebrook near Cork, and the son completed his education in that city. His subsequent commercial experience was acquired in the borough of Southwark; and in 1821 he moved to Cork, where he entered into partnership with Maziere and Son, eminent wine-merchants, to whose business he succeeded, and which he never entirely relinquished. In 1828 he filled the office of Common Speaker to the corporation of Cork, and wore the golden key pendent from a blue ribband; but he never attained the sword of Sheriff, his political opinions being too liberal and advanced for those who then bore sway. Having an ample competence, and no family, Mr. Sainthill devoted his resources entirely to his numismatic collections and his literary inquiries. His occasional essays contributed to the *Gentleman's Magazine*, the *Numismatic Chronicle*, and various other periodicals, were collected in 1844 in a very handsome volume entitled *Olla Podrida*, which was printed in royal octavo, and illustrated with many excellent plates, for private distribution among his friends. A second volume was added in 1853, and smaller supplements of *Numismatic Crumbs* in 1855, and *Numismatic and other Crumbs* in 1858. Upon one of the subjects of his inquiries, the history of *The Old Countess of Desmond*, he subsequently twice went to the press, in 1861 and 1863. On this controversy, whilst he collected various important evidence, he adhered to some of the exaggerated traditions which have been propagated by a credulous love of the marvellous; and for a more sober review of the whole matter the reader may be referred to the *Dublin*

*Review* for Feb. 1862, and *Notes and Queries*, III. i. 301, 377, 469. Few persons have enjoyed their literary ease, to an advanced period of life, more perfectly than Richard Sainthill. Though somewhat wanting in scholarship, he supplied that deficiency to a considerable extent by painstaking accuracy and persevering research, which rendered good service to the subjects of his investigation. He was liberal in his expenditure, and amiable in his social intercourse: and one of his most intimate friends (Richard Caulfield, LL.D.) has justly as well as gracefully commemorated his good qualities in the columns of *The Southern Reporter*. By that gentleman and by his townsman Counsellor Lindsay—a veteran comrade in Numismatic antiquities, he was attended to his last home in the family vault at Rathconey on the 16th November. Another memoir of the deceased has appeared in the *Art Journal* for June 1870, where it follows one of the late Daniel Maclise, R.A. who has so briefly survived his early friend Mr. Sainthill, after all but attaining the highest honours awarded to British art. Mr. Sainthill possessed many of the earliest works of Maclise, whom he discovered as a boy in his father's shop in Cork and helped to instruction; among others, his own portrait, from which there is an engraving in the *Olla Podrida*. His features will also be handed down to posterity on a fine medal by Leonard Wyon, with whose father and family he maintained the most friendly intercourse. His residuary legatee is his nephew Richard Sainthill, esq. of the Royal Navy: and his library and coins have been sold by Messrs. Sotheby and Wilkinson in London.

Nov. 17. William Francis *Cowper*, of Broadlands, co. Southampton, and Curzon Street, Middx., a Privy Councillor and M.P. for South Hampshire, in compliance with the will of Henry-John Viscount Palmerston, K.G., G.C.B., to take the name of TEMPLE after Cowper, and bear the arms of Temple quarterly with Cowper.

— John Henry *Kolle*, of Park house, in the parish of Streatham, and of London, merchant, eldest son and heir of the late John Henry Kolle, merchant, and grandson of Henry Werner Kolle, merchant, by Elizabeth eldest daughter of William Horton, of Highbury-grove, gent., in compliance with the will of his maternal great-aunt Mary Ann Horton of Highbury, spinster, to take the name of HORTON instead of Kolle, and bear the arms of Horton only.

Nov. 26. Created BARONS of the United Kingdom: 1. James Earl of Southesk, K.T., as Baron *Balinhard*, of Farnell, co. Forfar; 2. William Earl of Listowel as Baron *Hare*, of Connamore, co. Cork; 3. Lord Edward G. F. Howard, as Baron *Howard of Glossop*, co. Derby;<sup>1</sup> 4. the Rt. Hon.

<sup>1</sup> Among the many dignities of peerage that have been bestowed on the house of Howard, this is the first time that any member of that illustrious house has received the title of Howard of Glossop. Glossop was a manor of the Earls of Shrewsbury, by grant from Henry VIII. 1537; it came to the Howards with one of the co-heiresses of Gilbert Earl of Shrewsbury, who died in 1616. It was the residence of Bernard Edward Howard, esq., (grandfather of the new peer) before his accession to the Dukedom of Norfolk in 1815.

John Wilson Fitz Patrick of Granstown manor and Lisduff, Queen's co., as Baron *Castletown*, of Upper Ossory ; 5. Sir John Emerick Edward Dalberg Acton, of Aldenham, co. Salop, Bart., as Baron *Acton* of Aldenham ; 6. Thomas James Agar Robartes, of Lanhydrock, co. Cornwall, esq., as Baron *Robartes* of Lanhydrock, and of Truro ;<sup>1</sup> 7. George Carr Glyn, of Stanmore park, co. Middx., esq., as Baron *Wolverton*, of Wolverton, co. Buckingham ; 8. Fulke Southwell Greville-Nugent, of Cloyne castle, co. Westmeath, esq., as Baron *Greville* of Clonyn.<sup>2</sup>

*Dec. 6.* Created a BARONET,<sup>3</sup> James Clarke *Lawrence* of Westbourne terrace, co. Middlesex, esq. one of the Aldermen and late Lord Mayor of the city of London.

*Dec. 27.* James Lushington *Wildman* of Norton court, Kent, esq. J.P. eldest son of James Beckford Wildman of Chilham, esq. by Mary Ann, dau. of the late Rt. Hon. Stephen Rumbold Lushington of Norton, in compliance with the will of his said maternal grandfather, to take the name of LUSHINGTON after Wildman, and bear the arms quarterly with his own.

*Dec. 29.* Died, at Lymington, aged 62, JOHN ST. BARBE, esq. manager of the Charing-cross branch of the Union Bank. His name has been already mentioned in this work as having printed at his own expense, for private circulation, the valuable collections for the History of Lymington, formed by his uncle Charles St. Barbe, esq. F.S.A. ; which we reviewed in our vol. iv. p. 87. He was one of the very ancient family upon which some remarks were made *ibid.* p. 90, and was an excellent public servant and amiable man. He died suddenly when visiting his cousin at Lymington.

<sup>1</sup> Sir Richard Robartes, Knt. and Baronet, of Truro, was created Baron Robartes of Truro in 1625. The new peer is descended from the second Lord, who was created Earl of Radnor and Viscount Bodmin in 1679 ; which dignities became extinct in 1764, on the death of his grandson John the fourth Earl. Mary, sister to the third Earl, was the wife of Thomas Hunt, esq. of Mollington, co. Chester, and in 1764 Lanhydrock came to that family. Anna Maria Hunt (granddaughter of Thomas) was married to the Hon. Charles Bagenal Agar, and the new Lord Robartes is her son and heir. He assumed the family name some years ago. He has been M.P. for East Cornwall.

<sup>2</sup> Lord Greville, who is a junior member of the Earl of Warwick's family, descended from the 5th Lord Brooke, took the additional surname of Nugent in 1866, having married in 1840 the only surviving child of the present Marquess of Westmeath. He was M.P. for the co. Longford at the time of his creation ; and his son has been elected in his room.

<sup>3</sup> This honour was conferred on Sir J. C. Lawrence in commemoration of the visit of Her Majesty to the metropolis on the 6th of Nov. preceding, to take part in the opening of the new Blackfriars Bridge and the Holborn Viaduct ; and on the same occasion H. M. conferred the honour of knighthood (at Windsor Castle, Dec. 11) on the Sheriffs of London and Middlesex, Alderman Joseph Causton, esq. and James Vallentin, esq. (the latter since deceased, Feb. 1870.)

## FAMILY OF CARY OF VIRGINIA.

*To the Editor of THE HERALD AND GENEALOGIST.*

DEAR SIR,—I have been for some time engaged (in my leisure hours) in investigating the history of the Virginia Carys, with a view at some future time of publishing the result for the satisfaction of an old and honourable family. The genealogy of my own immediate branch I have fully completed and authenticated by wills, documents, tomb-stone inscriptions, &c., and can trace my descent in an unbroken line for twelve generations, back to William Cary, sheriff of Bristol in 1532, and mayor in 1546, who died in 1572.

But with the other branches of the Virginia family I have not been so successful. The original emigrant to the "Old Dominion" in 1640 or 50, *Miles Cary*, died in 1667, leaving four sons, 1. Thomas. 2. Henry. 3. Miles. 4. William. I have been able to obtain little or no reliable information respecting *Thomas*, except that his will, recorded in Warwick County, in 1708, mentions his three sons, Thomas, James, and Milner.

The male line of Henry (2) became extinct in his grandson Col. Archibald Cary (a distinguished Virginian patriot) in 1787.

The male line of Miles (3), who is my ancestor and who died in 1708, is now represented by six persons, only two of whom are married.

The descendants of William (4) are very numerous, but I have not yet succeeded in ascertaining their proper places in the pedigree.

We have hitherto always thought that *Miles Cary* (born in Bristol in 1620, died in Virginia in 1667) was the ancestor of all the families of the name in Virginia; but I am now somewhat in doubt on this point.

On a recent visit to the Theological Seminary of Virginia near Alexandria, I examined the few mutilated parish registers, &c. that Bishop Meade had deposited there—in hopes of finding some items of my family. I found something of them in the register of Kingston parish, Matthews co., which begins in 1749, and is carried down to the revolutionary times, the first entry being the marriage of "Mr. Benjn. West and Mrs. Margaret Cary, Nov. 25, 1749."

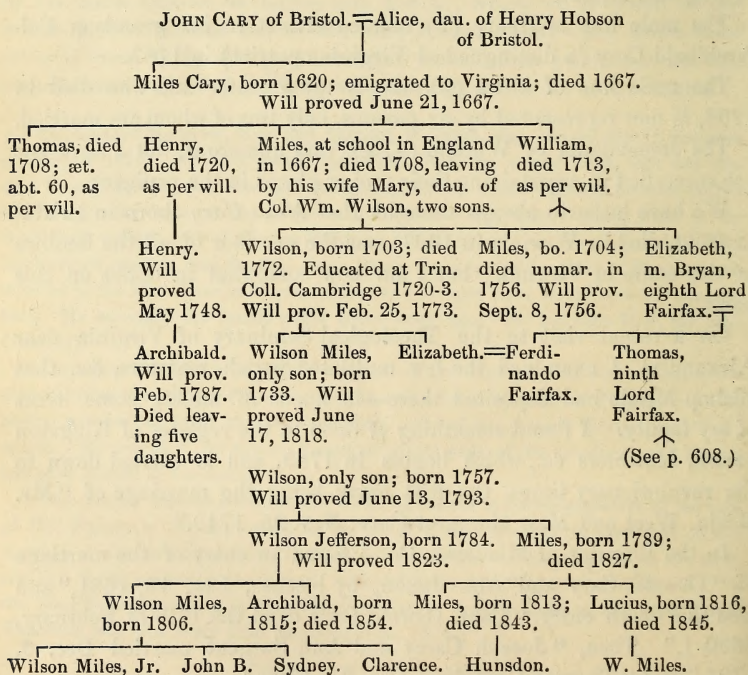
In the Register of Middlesex Co. I found an entry of the marriage of "Oswald Cary and Ann Jaxon, by lycense, Dec. 19, 1681," and also this death entry, "Capt. Oswald Cary dyed the 17th of February, 1690-1." Then, "Joseph Carey and Ann Sargent married Dec. 3, 1724," and "Thomas Cary dyed Dec. 21, 1720."

The name *Oswald* is certainly unusual in the family—the only mention I have ever found of it being once in *Papworth's Armorial's*: “*Sir Oswald Cary, Harl. MSS. 1392 and 1459.*” Who was this *Sir Oswald*?

I discovered at Yorktown, Va., among the York County Records, a finely preserved and quite complete parish register of births and deaths of that county, beginning in 1648, and ending 1783 or later.

Can you inform me to what branch of the Cary family belonged *Robert Cary* of the firm of “Robert Cary and Co. merchants, of London,” who died in 1751, leaving an only son *Robert*, who continued the firm, and died after the American Revolution I think. They were General Washington’s commission merchants. Also, what family of *Wilsons* bore this coat, which I find on the tomb of Capt. Willis Wilson at Hampton, Elizabeth city, co. Va. He died Nov. 19, 1701, before his father, Colonel William Wilson: Sable, on a cross eng. between four cherubim or, a heart of the first wounded on the left side proper, crowned with a crown of thorns. From this family I derive my Christian name.

W. M. CARY, Jr.



## NOTES AND QUERIES.

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The parentage of WALTER CARY, M.P. for Dartmouth (for which our Correspondent in the opposite page has inquired,) will be found in Mr. GRIGSON's contribution to the *Herald and Genealogist*, p. 30 of the present volume. His death is recorded in the *Gentleman's Magazine*, xxvii. 129, as having occurred 27 April 1757. See also the reference to his monument and arms in *Lysons, Environs of London*, iii. 29. The connexion between this Everton branch of the Cary's and the main stem has not I believe been ascertained. I may note that the deed mentioned in p. 31 of this volume is now in my possession. It is dated 30 July, 1626, and is made between Rowland Carye of Everton, co. Huntingdon, gent., Walter Carye of Great Wycombe, co. Bucks, gent., and Michael Peirse citizen and draper of London of the one part, and William Browning of London, gent. of the other part; and conveys to the latter the tenement known by the sign of the Red Lyon in Great Missenden, co. Bucks, and four acres of pasture now or late in the occupation of William Harris, gent. Rowland Cary's seal is missing, and the impressions on the others are indistinguishable.

WILLIAM CAREY, D.D. some time head master of Westminster, afterwards Bishop of Exeter 1820, and of St. Asaph 1830, who died in 1844, aged 77; assumed (on his episcopal seal) the arms of Cary of Devonshire, with the addition of a chief gules charged with three crosses patée or. He was the son of Mr. Richard Carey, who kept the Hop-pole inn at Worcester, and died in 1809, aged 83. No evidence has been found to show his connection with the ancient family.

*Exeter.*

ROBERT DYMOND.

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Can any information be afforded as to the life and history of Walter Scott, founder about a century ago of a free school at Ross? G. K.

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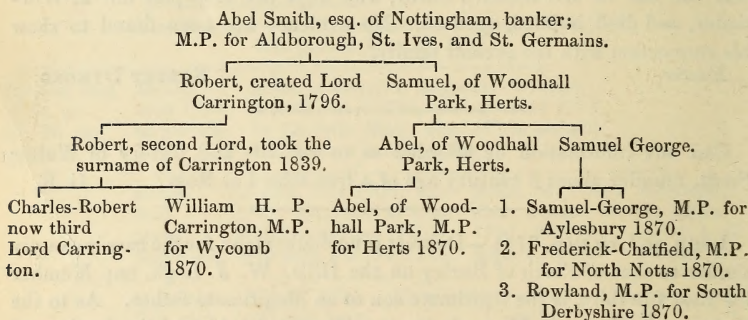
LEGH OF LYME (p. 274).—Debrett is no doubt right, for the case is exactly similar to that of Finch of Burley on the Hill. W. J. Legh, esq. Member for East Cheshire, is the legitimate son of an illegitimate father. As to the practice, at all events, his uncle the late Thomas Legh used the Legh arms without scruple notwithstanding his illegitimacy. The last edition of Burke's *Landed Gentry* glosses the matter over, but the first edition in 4 vols. vol. ii. p. 686, under the head of *Hargreaves of Ormerod House*, gives the true pedigree. Colonel Thomas Legh, who died 1796, left his property to his illegitimate sons in succession, with remainder to his sister's family. The Colonel's sister married Laurence Ormerod, esq. of Ormerod House, Burnley. Her only daughter married John Hargreaves, esq. of Burnley, and left two daughters. Eleanor the eldest married the Rev. William Thursby of Abington (second son) now of Ormerod House. Charlotte Anne the second married Sir James Yorke Scarlett. Mrs. William Thursby and

Lady Scarlett are therefore the legitimate representatives of Legh of Lyme.

AN OLD SUBSCRIBER.

P. 275. The achievement now displayed by the Messrs. Brassey, Members of Parliament, as represented in Debrett's *Illustrated House of Commons*, must be derived from that of the Bressies of Bulkeley, as given in the Harl. MS. 2187. The quarterings are Bulkeley, Hadleigh, and Breet. Bressy of Bulkeley descended from Hamon second son of Robert of Wistaston, who married Isabel daughter and heir of William de Hadleigh by Isabella daughter and heir of William Bulkeley.

When noticing, in pp. 283 et seq., families which at present have more than one member in the House of Commons, we particularized only one that has *four*, namely that of the Duke of Abercorn. We placed the Smiths, the members for Aylesbury and South Derbyshire, among the "fifteen pairs of Brothers" (p. 285.) But this was an error: there are in fact *three* brothers of that family in the House; and besides them are two more of the same family (one bearing the name of Carrington) who also have seats. So that not only is the name of Smith, generally speaking, the most common of any, but (besides three Smiths of three other families) this particular family has more members now in Parliament than any other family whatever. It has *five* in the House of Commons, besides one in the House of Lords. It is thus their pedigree stands:—



Had we recurred to Debrett's *House of Commons* for 1869, we should not have made this oversight; for there is a note on the subject. It contains the following remarks: "Mr. Thomas Smith, the ancestor of the Lords Carrington, &c. founded a bank in Nottingham some years previous to 1688. From this bank sprung in course of time those of Smith, Payne and Smiths in London, and the other branches in Lincoln, Hull, and Derby. The bank at Nottingham is by many years the oldest existing country bank. Four generations of this family have now sat in Parliament, representing constituencies in Bucks, Herts, Surrey, Kent, Notts, &c., and at one time they returned seven members to the same Parliament."

NOTICES OF ANCIENT SCOTCH FAMILIES; WITH  
REGARD TO *FILII CARNALES*.

BY ALEXANDER SINCLAIR.

CHAPTER I. THE LORDS OF LORN.

THERE are several points regarding the alliances and descent of the Stewarts which require illustration, as discoveries are still being made which bear upon their history.

I believe that in a curious, almost unique work, by my able and lamented friend the late Donald Gregory, on the *Highlands and Islands*, nearly forty years ago, on p. 28, was given the first intimation of the change of descent of the Lordship of Lorn from those who had the blood of the old Macdougall chieftains and princes to those who had it not. He quotes the Argyll Charter Chest, but seems not to have seen the full effect of the discovery. This was followed up by the indefatigable editor of the *Origines Parochiales Scotiæ* giving the substance of the charter from which I have to prove the case—as it affects various families, and even produces heraldic consequences to our day. From the apparent circumstances, it was fairly enough concluded that Sir John Stewart of Innermeath married Jonet the heiress of the ancient Celtic Lords of Lorn, and that they had a son, Robert, Lord of Lorn, from whom the line was derived. But it is now clear that this is a mistake. Sir Robert Stewart of Schanbothy, Innermeath, and Durisdeer, died in 1386, leaving two sons—1. Sir John, who inherited Innermeath and Durisdeer; 2. Sir Robert, who got Schanbothy, and married Janet, heiress of John, Lord of Lorn. In April 1388 Sir Robert and his wife Janet surrendered Lorn in favour of his brother Sir John, who obtained a charter of the Lordship from King Robert II., on their resignation. Sir John, at the same time, surrenders Durisdeer in Dumfriesshire, and various other lands in Fife and Forfarshire, which were conveyed by charter to Sir Robert and Janet in compensation.

The charter of Cragy Gerpot, &c. in Fife, is singular, being granted by Murdoch Stewart, eldest son and heir-apparent of Robert, Earl of Fyff and Meneteth, afterwards the Regent Duke

of Albany, confirming a charter by his said father to his cousin Sir Robert Stewart of Schanbothy, Knight of Cragy Gerpot, &c. on resignation of Sir John Stewart of Innermethe, Knight. There is no date to these two last deeds; but the period can very nearly be proved by the parties and the witnesses. It must have been after 1386, when the father of Sir John and Sir Robert died, and the estates were divided between the two sons. It must have been before 19th April 1390, when John, Earl of Carrick (who was the first witness, and elder brother of Robert, Earl of Fyff,) became King Robert III. Thus the period tallies perfectly with the other deeds in April 1388, by which Sir John became Lord of Lorn territorially, but without descent; and Sir Robert and Janet subsided into Durisdeer, and were ancestors of the respectable family of Rossyth, which had the blood of Lorn without the Lordship.

Before this unexpected explanation was made, Mr. John Riddell, the great Peerage author, accepted, as an indubitable fact, the descent of the Stewarts, Lords of Lorn, from the Celtic heiress, and relied upon it to establish a case in support of a peculiar theory.

In the great Roxburghe cause, in which he was counsel for the Duke, it became an important object to prove, in case the Duke had no son, that the whole heirs-male of the Kers were extinct, and the estate would be released from the fetters of entail, and at the Duke's absolute disposal. The family of Ker of Little-dene was the only ostensible branch that seemed to intervene, and it was, therefore, desirable to cut them off. The utmost ingenuity was exerted to establish two flaws in the pedigree of General Ker's eleven generations, one at the primary link, the other further down. I here only advert to the former, as to which it was ferreted out that Mark Ker, the ancestor, is styled in a deed *filius carnalis*. It was necessary to prove that this meant he was illegitimate. Great research, on both sides, elucidated many cases to support the respective theories; and wherever General Ker produced an instance of an ancient personage being called carnal or natural son, to show that the theory was unsound, and that the term was quite consistent with legitimacy, it was at once endeavoured to prove that he was a bastard, which brought all of the same lineage into a like predicament.

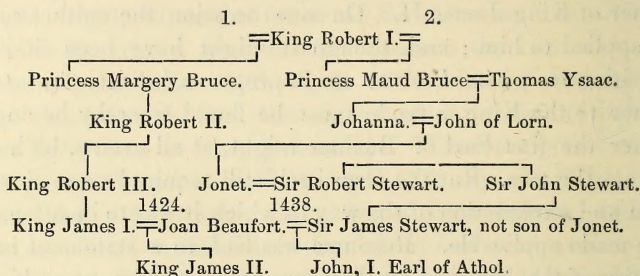
It became a great question how many families would fall victims to this voluntary but relentless task. Among the cases hunted out was that of John Stewart, Earl of Athol, in 1457. He was son of Sir James Stewart, the Black Knight of Lorn, by Joan, Queen Dowager of King James I., and consequently half-brother of King James II. On one occasion the epithet *carnal* was applied to him; and, though it might have been either in opposition to *spiritual*, or as an improper substitute for *uterine* brother to the King, a mode must be found whereby he and his brother the first Earl of Buchan might, at all events, be hewed off from the tree. But the term itself still required some corroboration and explanation of the way in which it was to be attempted to be made applicable. Recourse was had to a statement in the *History of the Stewarts*, by Duncan Stewart, who scarcely ever gives any authority, and is not considered an author of any weight; and Mr. Riddell would have scorned to quote him except in a total dearth of real evidence. He says that the heiress of Lorn married Sir John Stewart of Innermeath, and was ancestrix of the future Lords of Lorn, and mother to Sir James, the Black Knight; but adds nothing to prove his assertion. He probably assumed it must be so, by the descent of the lands at that time to the Stewarts from the heiress.

Mr. Riddell adopts Duncan Stewart's statement that Sir James was a son of the heiress, and then proceeds to show that therefore he could not, without a dispensation, marry the Queen Dowager of King James I., because the King and Sir James were thus third cousins of the half-blood, if their great-grandmothers were half-sisters, being two of the daughters of King Robert Bruce, one by each wife.

But here is the fallacy which is fatal to the whole scheme of connection. The heiress of Lorn, as has been shown, did not marry Sir John. She married Sir Robert Stewart; and with her express consent they transferred the whole lordship to his brother, Sir John, in exchange for low-country lands; and he and his descendants became the lords of Lorn *territorially*, but without a drop of the blood of the Old Highland family.<sup>1</sup> Thus the

<sup>1</sup> Before the year 1388, Janet, the daughter and heiress of John of Lorn, appears to have carried the lands of Lorn to her husband, Sir Robert Stewart. In 1388, the

pedigree of four links on each side, passing through King Robert Bruce, falls helplessly to the ground, like a swivel chain when a link has snapped in twain. But to descend to particulars. King Robert Bruce had, among others, two daughters, one of whom was by each wife.



Thus it is evident that the heiress of Lorn, being married to Sir Robert, and not to his brother Sir John, she could not be mother to Sir John's son, Sir James, or transmit the fancied impediment. His descent from King Robert Bruce was a fiction.

This however far-fetched degree of affinity Mr. Riddell urged required a dispensation, which has never been produced. No wonder! It is not true that any such constructive disability existed. The baseless fabric is only a vision of its builder, the author.

The Queen Dowager was free to marry Sir James; and the Earl of Athol and his descendants are deprived of the blood of Isaac and Bruce, that singular *mésalliance* for those ancient times, but thereby escape a taint of four centuries ago recently attempted to be fixed upon them.

The verdict as to Mark Ker was "not proven;" and the other attack also broke down, so that such is the end of this fine-

lands of Lorn, Benechirdeloch, Aphthane, and Lesmore, in the county of Perth, were resigned to Sir Robert the Steward, and Jonet his wife, and were granted by King Robert II. to John the Steward, of Innermeath.—Argyll Charters, *Origines Parochiales Scotiæ*, vol. ii. p. 110, 111.

29th April, 18th of King Robert II. Charter by Robert, King of Scots, to John Stewart of Innermeath, Knight, of the lands of Lorn, etc., on the resignation of Robert Stewart, his brother, and of Janet, spous to the said Robert. This was in exchange for Durisdeer at the same time.

spun theory. General Ker was left to the barren enjoyment of the honour of this very distant relationship, which rendered him heir-male to the first Earl, and heir of entail to the old Duke of Roxburghe.

There are two points in the history of this John, first Earl of Athol, worthy of note. King James II. was anxious to provide for him as a penniless brother, and the opportunity was afforded by the overturn of the great House of Douglas. Margaret the heiress of the elder branch of these mighty Earls and Lords of Galloway had been intended to be married to her cousin William eighth Earl of Douglas, the son of her grand-uncle James seventh Earl, to preserve the full power of the family. A dispensation had been obtained in 1444, but there had been a delay till 1449-50 when the Earl got a gift of her marriage, and it appears never to have been completed. They had no children, and, when the King slew him in Feb. 1451-2, his brother James the ninth and last Earl got another dispensation in Feb. 1452-3, at the King's solicitation, to be enabled also to marry her. But when he went into rebellion in 1455, his affianced bride left him, and went to the King complaining of such ungodly nuptials. They were annulled; and the King married her to his brother, created him Earl of Athol in 1457, and gave them Balveny Castle, the only portion of the vast property of that mighty house to which she was allowed to succeed. But this she did not live long to inherit. She had only two daughters—1. Joan, married, in 1474, to Alexander Lord Gordon, son and heir of George second Earl of Huntly. 2. Isabel or Elizabeth married to Andrew third Lord Gray. These two, and their posterity, consequently had a right to the Douglas arms with a canton of Athol. When this Douglas heiress died, Earl John married again, about 1476, Eleanor St. Clair daughter of William Earl of Orkney and Caithness, and had a son and heir John and, some accounts say, 14 additional daughters, and then a settlement was made by which Alexander, now Earl of Huntly, Joan his wife, and John Master of Huntly their son, renounced all their right to Balveny Castle and estate in favour of John Earl of Athol and his son John Master of Athol, and that family got the property of Balveny. The royal connection was only once wrongly stated, in the course of a long

life of great power and dignity. He died in 1512, and a year after his son and heir John, second Earl, was killed at Flodden in 1513. It was held for five generations of Earls of Athol, till it was squandered among co-heirs, daughters of the fifth Earl, after 1595.

The other point relates to an adventure which this first Earl of Athol and his second wife had with the men of the Isles, related in Gregory's *Highlands and Islands*. His nephew King James III. had sent him in 1476 to subdue the resistance of the last Lord of the Isles and his family legitimate or otherwise, and the King said as a farewell, "*Furth fortune and fill the fetters*"—"May you be fortunate and make many prisoners." This they adopted as their motto, and put it up in large letters on the walls of the Castle of Balveny. They also took two savages in chains for supporters. He was successful, but had afterwards to go against Angus a natural son of John last Lord of the Isles, who usurped the power of rebellion, and the Earl, in 1480, made another expedition to Isla to seize Donald Dhu the son of Angus, a boy who was considered the heir, and he delivered him up to the Earl of Argyll, and went home to Blair-Athol. Angus was so exasperated that he assembled a fleet, landed a force at Inverlochy, and marched across the country to Blair-Athol. The Earl and Countess took sanctuary in St. Bride's. They were deforced and carried off to the Isles, but a storm in crossing sank many of his galleys, and awakened remorse in the superstitious islander for his sacrilege. He released them, and performed penance in the very chapel he had violated, and restored such of the plunder as had not been lost.

It may not be quite out of place here, though the Athol family have not the mixed blood of Isaac and Bruce, to mention that the former name was not so low as it seemed. It was disguised into Ysac, Ysaac, and de Yssac to make it appear noble. Fordun, 1, 2, p. 348, states the death, in 1353, of "Matilda de Bruce, soror Regis Davidis Secundi, quæ nupsit cuidam armigero nomine Thomæ Isaac, qui genuit ex ea duas filias, quorum major nomine Johanna nupsit nobili ac potenti viro Johanni de Lorn domino ejusdem." In 1342, Chamberlain's Books, "Thomæ filio Ysaac pro feodo per Cartam Regis." This individual not long

after had his name borne by gentry, bearing the same name, with coat armour, in the south of England. In Devonshire there were Isaacs of Buriat, temp. Henry III., who bore Sable, a bend or, on a canton argent a leopard's face gules. In 1460 there was also John Isaac of Bekesbourne, Sheriff of Kent, who had the same arms, but the leopard's face or. Probably Thomas, the lucky adventurer, was connected with one of these old families.

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## CHAPTER II. THE EARLS OF HUNTLY.

Another of the doomed victims of this stigmatising theory, but which has escaped its fell swoop, was the Earl of Huntly; and it was the illustrious alliance with King James the First's daughter that led to the injurious attempt. Alexander, the 1st Earl, was son of Alexander Seton, Lord of Gordon, who had married, in 1408, Elizabeth Gordon, the *heiress* of Gordon and Huntly, notwithstanding her having two brothers. The Earldom was conferred in 1445, during the ministry of William, Lord Crichton, the all-powerful chancellor, with remainder to the sons of his daughter Elizabeth Crichton, by this new-made Earl, who had had two previous marriages, and had Alexander, his eldest son and heir, by the second, a great heiress, Egidia Hay; but he kept the name of Seton, and from him came the Setons of Touch.<sup>1</sup> The Earl's eldest son by Elizabeth Crichton was George, Lord Gordon, the appointed heir to the Earldom. He was first contracted, in May 1455, to Elizabeth Dunbar, Countess of Moray, widow of Archibald Douglas, Earl of Moray, in her right, who was killed in rebellion, at Arkinholm, 1 May 1455. In those primitive days, when there was neither steam nor electricity, she had scarcely time to hear she was a widow when she entertained fresh proposals; but there started up a difficulty, and the contract was not completed. Then George aspired to an alliance with Princess Annabella, daughter of King James I., in 1457. This was consummated, and there was a large family of sons and daughters. At length, however, the fickle Earl wished to cast off his illustrious wife, and, under pretence of his pre-

<sup>1</sup> Heirs male of this First Earl.

contract with Elizabeth Dunbar, Annabella's cousin, and having had no dispensation, he took advantage of his own antenuptial wrong, and obtained a divorce in 1471. But on account of the Princess having been in ignorance of this latent impediment the legitimacy of the children was not affected. Mr. Riddell, however, at one time, when a theory required it, proclaimed otherwise. When General Ker, in the great Roxburghe cause, to support the legitimacy of his ancestor Mark Ker, produced a charter in which George, Earl of Huntly, conveyed to his carnal son, William Gordon, the Barony of Shivez, which Adam Gordon, also his carnal son, had resigned for the purpose; Mr. Riddell attacked their legitimacy, as children of the Earl and the Princess, on the ground of the divorce; and as Alexander, Lord Gordon, the acknowledged heir-apparent to the Earl, was their brother, he tried to show that he must be the son of a subsequent wife, Elizabeth Hay, daughter of William, Earl of Errol. But it was proved to demonstration that that maternal substitution was impossible. Alexander, Lord Gordon, was contracted as heir-apparent, in 1474, two years before his father's alliance was completed with Elizabeth Hay, whom Lord Errol would not sooner trust with so faithless a suitor.

I shall here give an extract from that important document in the Menzies' Charter Chest.

In the marriage-contract between John, Erle of Athole, &c., and George, Erle of Huntly, &c., October 14, 1474, it was provided, "that Alexander, son and apparent ayr to the said George, is to marry and haf to wif, als son as he arryv to lauchful age, Johan y<sup>e</sup> dochter of the said John, and failing of the said Alexander, Adam y<sup>e</sup> son of the said George, and sa furth fra son to son lauchfully gottin; or for to be gottin be y<sup>e</sup> said George," &c.

This was three years after the divorce in 1471, and it proves that Earl George's family by the Princess were lawful. His eldest son's legitimacy necessarily proves that of the others all confirmed by the contract. He did not marry Elizabeth Hay till two years after, in 1476. Alexander was Lord Gordon and Master of Huntly till his father died in 1501, when he became third Earl, and flourished till 1524. It is remarkable that he

himself took out the legal transumpt of the deed of divorce, so unconscious was he that it could be in any way injurious to him.

Mr. Riddell, at last, had to acknowledge Alexander, third Earl, to be lawful son and heir of the second Earl and the Princess, by virtue of *bona fides* and *ignorantia*,<sup>1</sup> and consequently his younger brothers, Adam the second son, Earl of Sutherland by his wife, and William Gordon of Gight, third son, were allowed their rightful places, which they had never lost, as lawful regular scions of the noble tree. Elizabeth Hay, Countess of Huntly, had no children; and Ferrerius, the Gordon historian, who is seldom mistaken, is wrong in making all the three her sons. It is impossible both in chronology and in fact.

I only add, that Adam is represented by the Duke of Sutherland.

William Gordon of Gight, ancestor of the late George Gordon, Lord Byron, who was proud of this descent, had a prior heir of line. Elizabeth, only daughter of Alexander Gordon of Gight (by Agnes, natural daughter of Cardinal Beaton, who had two other husbands), became heir to her father in 1579, when, from the undying feud between the Gordons and Forbeses, he and Forbes of Towie "killed other on Dundee shore," the Master of Forbes abetting. She married George Home, Earl of Dunbar, K.G., and had only two daughters—1. Anne, mother of James third Earl of Home; 2. Elizabeth, wife of Theophilus second Earl of Suffolk, K.G.

<sup>1</sup> "The principle of '*bona fides*'—that is, the ignorance of Agnes, if not of her husband, that their marriage, however legally null, was so, had the effect, by our law, of making the children legitimate; which, it is strange to think, has actually been questioned in modern times." Riddell's *Remarks upon Scotch Peerage Law*, 1833, p. 184.

Even Mr. Riddell himself was not free from the charge of neglect of this valuable principle. In his *Stewartiana*, p. 81-5, and 137-42, he accuses Mr. Cosmo Innes of causelessly stigmatising the birth of Sir William Douglas of Liddesdale, "the Flower of Chivalry," and states, "that the blame cannot be attributed to me, but to Mr. Innes, justly to correct" his stigma.

It might be wished that Mr. Riddell, before he found it necessary to vindicate the Douglasses, had not overstrained his own tenderness in the cases of various noble families in the Roxburgh cause, who required to be defended from his sweeping imputations, when absolving other great houses, whom "he (Mr. Innes) would callously doom" to illegitimacy. I am glad to believe that the Earls of Morton, Huntly, and Athole are all, as before, immaculate, and completely rescued from any aspersion.

## THE PEDIGREE OF METHWOLD.

Blomefield's *History of Norfolk* (vol. vi. 8vo. edition) supplies but an imperfect and inaccurate account of the family of Methwold or Methold, who were Lords of the Manor of Langford in Norfolk from the reign of Henry III. to that of Charles I. Three generations of this family are recorded in the Visitation of 1563, and therefore their pedigree is included in Mr. Dashwood's edition of the Harleian MS. No. 1178, published by the Norfolk Archæological Society. This pedigree, however, reproduces the errors of Blomefield, with some additional blunders, and is not illustrated by any of those extracts from Wills and Registers which form the chief value of this edition of the Visitation. There are ample materials extant for an improved and probably a complete pedigree of the family, and it is to be hoped that some local antiquary who has access to the Wills at Norwich may be induced to turn his attention to one of the oldest names amongst the gentry of Norfolk. In the meantime I send you a pedigree of a younger branch, which has entirely escaped the notice of Blomefield and Dashwood. It springs from Hugh Methwold, a cadet of Langford, who settled in London as a mercer in the reign of Henry VIII., and it disappears from my view in the reign of James I.

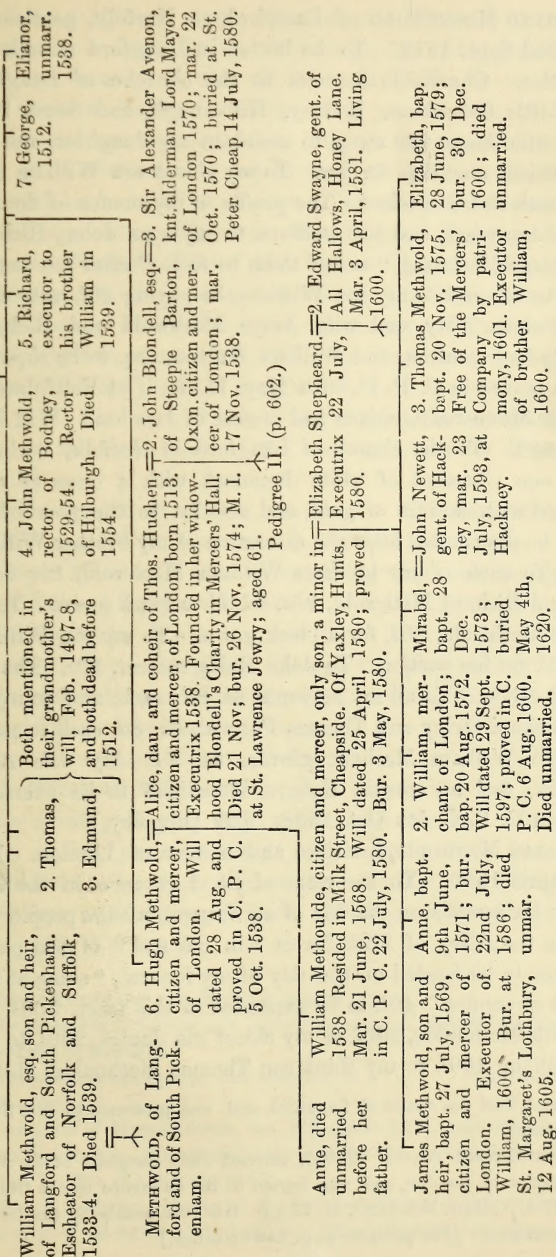
The Wills annexed are interesting, both as genealogical proofs, and as containing notices of several families of note in London at that period. The Registers show the various ways in which this name was then written. Seventeen (see note in p. 495) different modes of spelling it have been discovered, but it was probably always pronounced Methold, as it has been written by the family since the beginning of the last century.

Hugh Methwold must have died a very young man, for neither he nor his two elder brothers were born in Feb. 1497-8, the date of his grandmother's will, and his wife Alice was only twenty-five at the time of his death. His widow was twice remarried, as will be seen in the pedigree; and after the death of her second husband, John Blondell, founded in her widowhood a charity vested in the Company of Mercers, called Alice Blondell's Gift, by which "thirteen penny loaves of good sweet bread" were to be given in her name to thirteen poor folks of the parish of St. Lawrence Jewry, every Sunday at morning prayer for ever. Her monument still remains in the church of St. Lawrence, and was probably erected by her son William Methwold. The inscription on it is printed in Strype's *Stow*, vol. 1, Book iii. p. 46, ed. 1720.

EDMOND CHESTER WATERS.

Arms. Azure, six escallops or.

Richard Methewold, esq. of Langford and South Pickenham, co. Norfolk, and Amy, daughter of of Horseheath, co. Cambridge. Will dated 2 Sept. 1512; proved 29 May, 1514, in C. P. C. Inq. p. m. 3 and 4 Hen. VIII. 7. executrix 1514.



The Registers not otherwise specified are from St. Lawrence in the Old Jewry.

RICHARD METHEWOLD of Langford, co. Norfolk, gentleman. Will dated 2nd Sept. 1512. To be buried in Langford church next unto my moder. Charitable legacies to the churches of Langford, Stanford, Little Bokenham, Bodney, Hilborough, and South Pickenham. To my wife Amye 300 ewes, to maintain my daughter, and to provide a convenient marriage for her. To my eldest son William my manors of Horseth and Glemsford. The profits of my manor of South Pickenham for ten years, and 500 wethers, to my sons John, Richard, *Hew*, and George Methwold, "to find them to scole;" after ten years my said manor to descend to my son William, he paying 10*l.* unto each of his said brothers. My said wife Amye Mathwold and Richard Neel,<sup>1</sup> clerk, to be executors, and William Wotton, esq. to be supervisor.

Will proved in C. P. C. 29th May, 1514. [34 Fettiplace.]

HUGH METHWOLD, citizen and mercer of London. Will dated 28th Aug. 1538. To the church of Langford in Norfolk, "where I was born," one vestment of white dammask with a cross of velvet embroidered with flowers of gold, and also 7*s.* to the poor of Langford, 20*s.* to be distributed after the discretion of my brother William Methwold. To each of my brothers William Methwold, Sir John Methwold, and Richard Methwold, 26*s.* 8*d.* for a black gown. To my sister Elianor Methwold, 20*s.* for a black gown. To my son William Methwold 40*l.* for his portion. To John Rolfe, mercer, 20*s.* The residue to my wife Alice. To all my servants 6*s.* 8*d.* each, and to my two godsons, Richard Oxley and Thomas Petyver, 6*s.* 8*d.* each to pray for my soul. To William Mathew, glover, 6*s.* 8*d.* My wife Alice to be executrix, and my cousin Robert Meredith<sup>2</sup> to be overseer. Will proved in C. P. C. 5th Oct. 1538. [22 Dingley.]

WILLIAM METHOULDE, citizen and mercer of London. Will dated 25th April 1580. To the vicar of St. Lawrence in the Old Jewry, 10*s.* for the sermon on the day of my funeral, all the people "poor and rich" in the Alley of Milk Street "in our end" of the parish of St. Lawrence to be feasted on the day of my funeral, "some at dinner and the rest at supper." 40*l.* to be expended in this feast. 500*l.* to my wife Elizabeth Methoulde, 200*l.* to my eldest son James, 200*l.* to my second son William, 200*l.* to my third son Thomas Methoulde, 200 marks to

<sup>1</sup> Richard Neel was rector of Langford, and was presented to that living in 1496 by the testator.

<sup>2</sup> Robert Meredith (son of Philip), married Jane daughter of Sir William Lok, knt., alderman of London, and was buried at St. Lawrence in the Old Jewry, 9th Jan. 1547-8. [Harl. MS. 1096, fo. 19 b.] His relationship to the testator has not been ascertained. [See pedigree in p. 652 hereafter.]

each of my three daughters, Anne, Mirabell, and Elizabeth Methoulde. My mansion house in Milk Street, with the garden and appurtenances, to my eldest son James, and also my lands at Yaxley, in co. Hunts.: "the great house at Yaxley to remain at its ancient rate of 8*l.* per annum," if my said son lets it on lease. My six houses and tenements in the City of Westminster to my second son William Methoulde. My houses and lands in Silver Street to my third son Thomas Methoulde. To my sisters Elizabeth Huggen and Thodory Champneis,<sup>1</sup> my cousin Elizabeth Felde,<sup>2</sup> Mrs. Agnes Egerton,<sup>3</sup> Mrs. Burde,<sup>4</sup> and Mrs. Chayny, 20*s.* 4*d.* each to buy a ring. My three sons, James, William, and Thomas Methoulde, to be my executors. My dear friends Mr. Thomas Egerton mercer, Mr. Oliver Roe merchant taylor, John Sheppard, and William Burde of Gray's Inn, to be supervisors. Will proved in C. P. C. 22nd July, 1580, by the widow Elizabeth Methoulde, as guardian to the three sons of the testator, who were all minors. [27 Arundell.]

WILLIAM METHWOLD of London, merchant. Will dated 29th Sept. 1597. To the poor of St. Lawrence in the Old Jewry, 40*s.* To my sister Elizabeth Methwold 40*s.* on condition that she forgives my father-in-law Edward Swayne his debt to her. To my mother Elizabeth Swayne 20 marks a year for her life. To John and Thomas, the two sons of "my beloved Mr. Thomas Cordell<sup>5</sup> mercer," and to his three daughters Margaret Bowyer, Sara, and Judith Cordell, 20*s.* each for a gold ring. My lands and houses in the city of Westminster to my brothers James and Thomas Methwold and my sisters Mirabell Newett and Elizabeth Methwold, as joint tenants in tail. To Mr. Cordell "my great gold ring with a blew stone in it;" and to Mr. Swayne 40*s.* to buy such an other. My said brothers James and Thomas Methwold to be my executors, my "loving" Mr. Cordell and Mr. Edward Swayne to be supervisors. Will proved in C. P. C. 6th Aug. 1600. [38 Wallopp.]

<sup>1</sup> Half-sisters of the testator ; see Pedigree in next page.

<sup>2</sup> Wife of Matthew Field, mercer, and second daughter of Robert Meredith, mercer. [See pedigree of Meredith.]

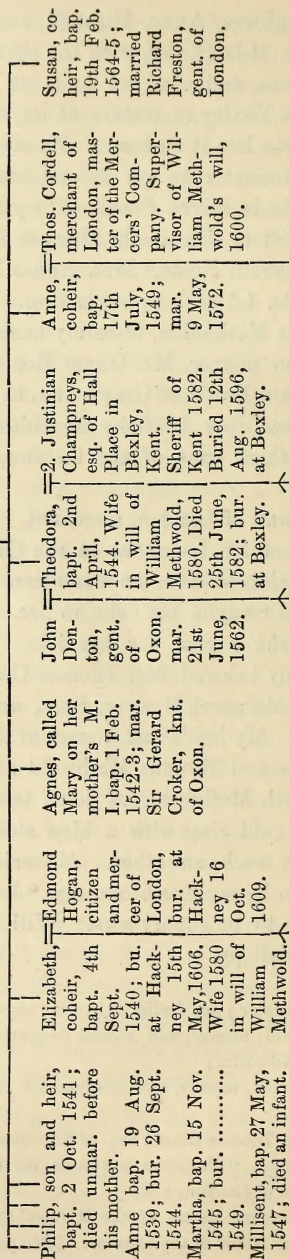
<sup>3</sup> Wife of Thomas Egerton, mercer, and daughter of . . . . . Langton of Herts. [Vis. of London 1568.]

<sup>4</sup> Mirabel, daughter of Thomas Rivett, esq. of Stowmarket, county of Suffolk, and wife of William Byrde, esq., "Customer outwards for the port of London to the Queen's Majesty." [Vis. of London, 1568.]

<sup>5</sup> Thomas Cordell, sometime Master of the Mercers' Company, had married Anne Blondell, half-sister of the father of the testator. [See pedigree in next page.]

## DESCENDANTS OF JOHN BLONDELL, MERCER, BY ALICE, WIDOW OF HUGH METHWOLD.

1. Hugh Methwold, = Alice, dan. and coheir of Thos. Huchen, citizen = 2. John Blondell, citi. = 3. Sir Alexander Ave-  
 citizen and mercer and mercer of London. Founded in her widow- zen and mercer of Lon- non, knt. alderman of  
 of London, died hood Blondell's Charity in Mercers' Hall. Died don, of Steeple Barton, London. Lord Mayor  
 ..... 7, 1538. 21 Nov.; bur. 26 Nov. 1574; M. I. at St. Oxon. mar. 17 Nov. 1570. Mar. 22 Oct.  
 ↗ Lawrence Jewry. 1538; living 1565; 1570; bur. at St. Peter  
 Pedigree in p. 599. dead 1570. Cheap 14 July, 1580.



John Cordell, 1597.  
 Thomas Cordell, 1597.  
 Margaret, 1597, = Robert Bowyer, citizen and grocer, brother Sarah Cordell, bapt. Judith Cordell, bapt.  
 married 3 Jan. | of Sir William Bowyer, knt. of Denham, 7th March, 1582-3; 13 June, 1585; un-  
 1596-7. ↗ Bucks. M. T. at St. Olave's Jewry. unmarried 1597. married 1597.

The Registers not specified are from St. Lawrence Jewry.

EXTRACTS FROM PARISH REGISTERS, RELATING TO HUGH METHWOLD  
AND HIS DESCENDANTS.*St. Lawrence in the Old Jewry, London.*

1538, Nov. 17. John Blondell and Alice Metholde of this parish, married.

1568, June 21. William Methwolde and Elizabeth Shepheard, married.

1581, April 3. Edward Swayne of All Hallows, Honey Lane, and Elizabeth Methwold of this parish, married.

## Baptisms :

1569, July 27. James Methwolde baptised.

1571, June 9. Anne Metholde baptised.

1572, Aug. 20. William Metholde baptised.

1573, Dec. 28. Mirable Metholde baptised.

1575, Nov. 20. Thomas Metholde baptised.

1579, June 28. Elizabeth Metholde baptised.

## Burials :

1574, Nov. 26. Lady Alice Avenon buried.

1580, May 3. Mr. William Metholde, mercer, buried.

1586, July 22. Anne, daughter of Mr. William Metholde, buried.

1600, Dec. 30. Elizabeth Metholde, virgo, buried.

1620, May 4. Mirable Newett, a gent<sup>n</sup> from Hackney, buried.

*Hackney, Middlesex.*

1593, July 23. John Newett and Myrabel Meathwoulde married.

*St. Margaret's, Lothbury, London.*

1605, Aug. 12. James Methold, mercer, buried.

*All Hallows', Bread Street, London.*

1570, Oct. 22. Sir Alexander Avenon, Lord Mayor, was married unto Mistriss Alice Blunden by license within his own house.

*St. Peter's, Cheap, London.*

1580, July 14. Sir Alexander Avenon, Kt. buried.

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NOTE.—The seventeen variations in the spelling, with their respective dates of occurrence, are as follows:—1. Medelwold 1188; 2. Methelwold 1235-1461; 3. Methewolde 1236-1575; 4. Methwold 1270-1708; 5. Melwode 1292; 6. Methewold, 1485-1512; 7. Methold 1563-1870; 8. Metheld 1563; 9. Metholde 1538-81; 10. Methoulde 1580; 11. Meathwold 1593; 12. Mathowld 1648; 13. Methall 1630-1715; 14. Methell 1648; 15. Meathell 1652-3; 16. Methiwold 1653; 17. Meathold 1760.

# GENEALOGIES OF THE FAIRFAXES.

(Continued from p. 407.)

## IV.

### FAIRFAXES OF TOULSTON AND AMERICA.

HENRY FAIRFAX of Toulston, second son of Henry fourth Lord Fairfax, inherited his mother's estate of Toulston. He was High Sheriff of Yorkshire in 1691. He married Anne, daughter and coheir of Richard Harrison of South Cave, and died in 1708, having had:

- I. HENRY FAIRFAX of Toulston, baptized 15 Sept. 1685, died unmarried at York on Nov. 22, 1759.<sup>1</sup>
- II. Thomas, baptized July 31, 1690, buried Oct. 29, 1690.
- III. WILLIAM, was baptized at Newton Kyme on Oct. 30, 1691.  
Ancestor of the AMERICAN FAIRFAXES.
- IV. Brian, married in 1730, and settled at Wetherby, where he had a son born in 1731.
- V. Barwick, born 1695, died 1700.
- VI. John, born and died 1699.
- VII. Anne, baptized at Newton Kyme July 11, 1693.
- VIII. Dorothy, baptized at Newton Kyme May 16, 1689. Married, in 1731, to Henry Clapham of Thirsk, an officer of the Customs at Hull. They had issue  
William.

WILLIAM FAIRFAX, second son of Henry Fairfax of Toulston, was of Belvoir, Virginia. Baptized at Newton Kyme Oct. 30, 1691. In 1717 he married Sarah, daughter of Major Thomas Walker of Nassau, in the Bahama Islands. Went to sea with Captain Fairfax of Newton Kyme, and afterwards served in Spain under Colonel Martin Bladen. Judge and Governor of the Bahamas. Collector of Cus-

<sup>1</sup> He had an old servant, named Poor Adam, born 1701. They played together, H. Fairfax on the bagpipes, Adam on the violin. Adam made two marvellous woodcuts of them practising. (*Penes E. Hailstone.*)

toms at Salem, Massachusetts, in 1725. His first wife died there Jan. 18, 1731. He removed to Virginia as Agent to his cousin Lord Fairfax, and built Belvoir on the Potomac. President of the King's Council in Virginia. He married, secondly, Deborah Clarke. He died on Sept. 3, 1757, and was buried at Belvoir.

(First wife.)

- I. GEORGE WILLIAM of Belvoir in Virginia, and Toulston in Yorkshire. Born in the Bahamas in 1724. Married, Dec. 17, 1748, Sarah, daughter of Colonel Wilson Cary of Ceelys, near Hampton, on James River, Virginia. The companion of Washington on his first surveying tour. In 1759 he inherited Toulston from his uncle Henry, and went to England in 1773. When the American war broke out he received no more remittances, and was obliged to sell Toulston. Always loyal to England. He died at Bath on April 3, 1787, childless, leaving his estates to his nephew Ferdinando. His widow survived until Nov. 2, 1811, and died at Bath aged 81.
- II. Thomas, R.N. born in 1725. Killed on board H.M.S. Harwich in a naval engagement with the French in the West Indies, aged 21, on June 26, 1746.
- III. Anne, born at Salem, Massachusetts, in 1728. Married, on July 10, 1743, to Lawrence, elder brother of General George Washington, who died s.p. July 26, 1752. She married, secondly, George Lee of Virginia (uncle of Philip Lee, the grandfather of Robert Lee, the great Confederate General), and had three sons:
  1. George Fairfax.
  2. Launcelot.
  3. William.
- IV. Sarah, born at Salem. Married Major John Carlyle of Alexandria, Virginia.
  1. Sarah, married William Herbert of Alexandria, Va.
  2. Anne, married Henry Whiting.

(Second wife.)

- V. BRIAN, eighth Lord Fairfax.
- VI. William Henry, an Ensign 28th Foot. Mortally wounded at Quebec in 1759, serving under Wolfe. Before the battle,

General Wolfe touched him on the shoulder and said :  
 " Young man, when we come into action remember your name ! "

VII. Hannah, married to Warner, son of John Washington (first cousin of the General). Their children were :

1. Fairfax.
2. Whiting.
3. Louisa, married Thomas, ninth Lord Fairfax. (*See page 608.*)
4. Mildred, married to Mr. Throckmorton.
5. Hannah, married to Mr. Whiting.
6. Catharine, married to Mr. Nelson.
7. Elizabeth.

BRIAN, eighth LORD FAIRFAX, of Toulston in Yorkshire, and Mount Eagle in Virginia. Born in 1737. In 1759 he married Elizabeth, daughter of Colonel Wilson Cary of Ceelys. She died about 1788. He married, secondly, Miss Jenny Dennison. He was in the army, but was opposed to the armed resistance of the Colonists. Always loyal to England. In 1789 he entered Holy Orders. He was a chief mourner at the funeral of General Washington. His claim to the Peerage was recognised by the House of Lords on May 6, 1800. He died at Mount Eagle in Aug. 1802.

- I. William, died an infant.
- II. THOMAS, ninth Lord.
- III. Ferdinando of Shannon Hill, Jefferson County, Va. Heir to his uncle George William Fairfax. He dissipated his fortune in visionary schemes, and was continually engaged in lawsuits with "squatters" on his estates. He married his first cousin, Elizabeth Blair, daughter of Colonel Wilson Miles Cary of Ceelys, and died at Mount Eagle Sept. 24, 1820. His widow died at Shannon Hill on Jan. 19, 1822.
  1. George William, born at Shannon Hill Nov. 5, 1797. Married Isabella, daughter of Major W. Gibbs McNeill of New York. He died leaving four children:
    1. Donald McNeill, Commander U.S.N. The only Fairfax who took the side of the North in the Civil War. He married his cousin Virginia, daughter of Thomas Ragland of Virginia. (*See page 607.*)
    2. Edwin, ob. s.p.
    3. Martha.
    4. Isabella.

2. Wilson Miles Cary, born at Shannon Hill on Dec. 1, 1798. He married his cousin Lucy Griffith (*see page 608*), and was an officer on the U.S. Coast Survey. Died at Washington in 1860.
  1. Wilson Miles Cary, a topographical engineer. Living, unmarried, at Washington, aged about 37.
  2. Llewellyn, drowned in the Potomac.
  3. Frederick, born 1835. Married Miss Mary Cooke in 1858. Lives at Washington.
  4. Emily Cary, married the Right Rev. Dr. Whittle, Bishop of Virginia.
  5. Anne, unmarried.
  6. Alice, ob. s.p.
3. Farinda, born at Shannon Hill on April 6, 1800. Married Perrin Washington, and died at Cameron, Jefferson County, Va. on Feb. 27, 1823. She had
  - Farinda, married, first, to Mr. Payne; second, to Dr. Barton, Confederate States Navy.
4. Mary Munro, born at Shannon Hill July 22, 1801. Died at Romney, Hampshire County, Va. Dec. 19, 1825, unmarried.
5. Sally, born at Shannon Hill Nov. 9, 1796. Died an infant.
6. Ferdinando, born at Shannon Hill Jan. 9, 1803. Settled in King George County, Virginia. Married, first, Mary, daughter of Baily Jett, Esq.; second, a daughter of James Jett, brother of Baily. A Doctor of Medicine, and now lives at Sherwood, Tipton County, Tennessee. He has issue:
  1. William Henry, Surgeon in the Confederate States Army. Married his cousin Eleanor, daughter of Colville Griffith of Virginia. (*See page 608*.)
  2. Ferdinando.
  3. Emeline.
  4. Ella.
  5. Eva.
  6. Mittie or Mary?
  7. Ettie or Ethel?
  8. Ada.
7. Christiana, born at Charlestown, Jefferson County, Virginia, on Dec. 15, 1803. Married Thomas Ragland of Virginia, and left one daughter
  - Virginia, married to her cousin Commander Donald Fairfax, U.S.N. (*See page 606*.)
8. William Henry, born at Charlestown on Dec. 24, 1804. Died at Cameron, Va. on Aug. 4, 1837, unmarried.
9. Louisa, born at Charlestown Dec. 21, 1805. Married Mr. Tapscott, and died childless about Christmas 1827.
11. Brian, born at Shannon Hill on Jan. 28, 1808. Died an infant.
12. Archibald Blair, born at Williamsburg, Va. May 22, 1809. Lieutenant U.S.N. A scientific gunnery officer. Resigned in 1861. Commander in the Confederate States Navy. Died at Silver Creek, Mississippi, Jan. 3, 1867. Buried at Baltimore. He married, first, in November 1832, Sarah Carlyle, daughter of Hon. John C. Herbert of Maryland. She died Jan. 23, 1850. He married, secondly, March 2, 1852, Eliza Mary, daughter of Rev. Oliver Norris. His widow lives in Baltimore.
  - (First wife.)
  1. Eugene, born May 26, 1838. A private in the 17th Virginian Regiment, Confederate States Army. Killed at the battle of Williamsburg, Va. on May 4, 1862, unmarried.
  2. Julian, born Dec. 14, 1841 M.A. of University of Virginia. A merchant in Baltimore.

3. Archibald Carlyle, born Aug. 24, 1843. In the Confederate States Army. Wounded at the battle of Seven Pines. Lives at Baltimore.
4. Mary Herbert, born and died in 1848.
5. Lucy Herbert, born 1850, died 1851.

(Second wife.)

6. Edward Herbert, born Dec. 11, 1852. Living at Baltimore.
7. Llewellyn Cary, born Aug. 28, 1855.
8. Arthur Percy, born Feb. 2, 1857.
13. Octavius Thornton, born at Shannon Hill Dec. 1, 1810. Died at Pensacola in Florida in 1837.
14. Washington, died an infant.
15. Herbert, born at Alexandria, Va. Jan. 1815. Died an infant.
16. Floretta, born Nov. 9, 1816. Living, unmarried, at Alexandria, Va.

iv. Elizabeth, married Rev. David Griffith, and had:

1. Camillus, father of Colville, whose daughter Eleanor married William Henry Fairfax, son of Ferdinando. (*See page 607.*)
2. Lucy, married her cousin William Miles Cary Fairfax. (*See page 606.*)

(Second wife.)

v. Anne, married to Charles Catlett, Esq.

THOMAS, ninth LORD FAIRFAX, of Belvoir and Vacluse, Fairfax County, Va. Born 1762. He spent his life in superintending his paternal estates on the Potomac, and exercising a genuine old English hospitality. He uniformly declined any deference to his rank, preferring to be regarded as simply a gentleman of the county which bears his name. He married three times. First, Mary Aylett (s.p.); second, his cousin Louisa, daughter of Warner Washington (s.p.); and, third, his cousin Margaret, daughter of William Herbert, Esq. by Sarah Carlyle, daughter of Sarah Fairfax. He died at Vacluse on April 21, 1846, aged 84; his widow in 1860. His children were all by his third wife.

- i. Albert of Vacluse, born April 15, 1802. He was remarkable as the handsomest and most elegant man in Virginia. He married Caroline Eliza, daughter of Richard Snowden of Oakland, Prince George's County, Maryland, on April 8, 1828, and died before his father on May 9, 1835. His widow remarried William Saunders, who died s.p. She lives at Woodburn in the district of Columbia.

1. CHARLES SNOWDEN, tenth LORD FAIRFAX, born March 8, 1829.

Went to California in 1851. Speaker of the House of Delegates in 1854. Clerk of the Supreme Court of California 1857—62. On Jan. 10, 1855, he married Ada, daughter of J. S. Benham of Cincinnati. He died at Baltimore on April 7, 1869, s.p.

2. JOHN CONTEE, eleventh LORD FAIRFAX, of Northampton, near Bladensburg, in Prince George's County, Maryland. Born Sept. 13, 1830. On Oct. 8, 1857, he married Mary, daughter of Colonel Edmund Kirby, U.S.A. He is an M.D.

1. Caroline, born Aug. 20, 1858.

2. Josephine, born Aug. 20, 1865.

3. Charlie (a girl), born April 2, 1869.

11. Henry of Ashgrove, born May 4, 1804. He was educated at West Point Academy. He married, in 1827, Anne Caroline, daughter of the Hon. John C. Herbert of Maryland. He died in the Mexican war on Aug. 14, 1847, in command of a regiment of Volunteers. He had issue :

1. Raymond, born July 19, 1829. A Civil Engineer. Late Captain in the Confederate States Army. He married, in 1865, Anna, daughter of Sylvester L. Burford of Oak Lawn, Amherst Co. Va. and has :

1. Raymond, ob. s.p.

2. A daughter.

2. Eugene, born 1831. Died 1833.

3. Mary Isabel, born June 20, 1834. Died July 9, 1851.

4. Albert, born June 4, 1836. Surgeon in the Confederate States Army. Living, unmarried, in Fairfax County, Va.

5. Herbert Carlyle, born April 29, 1838. Captain in the Confederate States Army. On June 3, 1861, he married Jane Davis, daughter of Dr. Frederick Baker, and has two daughters.

6. Eugenia Herbert, born March 28, 1842; died August 1846.

7. Henry, born May 1, 1844; died August 1846.

8. Henry Malcolm, born Oct. 9, 1849. A Student of Divinity at the College in Virginia.

111. Orlando of Alexandria, Va. Born in 1809. He married his cousin Mary Randolph, daughter of Wilson Jefferson Cary of Carysbrooke, Fluvanna County, Va. (by Virginia Randolph, sister of Governor Randolph, who married the daughter of Jefferson), on May 21, 1829. He was a leading physician in Alexandria. Removed to Richmond during the war, and is now settled there. He has had :

1. Virginia Randolph, born March 14, 1832; died Oct. 22, 1832.

2. Edith, born Nov. 23, 1833; died Oct. 1839.

3. Orlando Cary, born Feb. 13, 1836.

4. Monimia, born Dec. 27, 1837. Married, in 1866, to Hon. George Davies of Wilmington, N.C. Attorney-General to the Confederate States.

5. Jane Cary.

6. Randolph, born Nov. 23, 1842. A gallant young hero. Private in the Artillery of the Confederate States. Killed at the battle of Fredericksburg Dec. 13, 1862.

7. Ethelbert, born Jan. 20, 1845. Lieutenant, Confederate States

Navy. Survived a desperate wound through the lungs at the battle of Bentonville in North Carolina, in 1865.

8. Mary Edith.

9. Thomas, born 1849. Graduate of the Virginia Military Institute at Lexington.

iv. Raymond, died in 1813.

v. Eugenia, married, first, to Edgar Mason of Charles County, Maryland; and, secondly, Charles K. Hyde.

(First husband.)

1. Ethelbert Fairfax, born June 1830. Served through the war in the Confederate Army.

2. Edgar Eilbec, born in 1835. Served through the war in the Confederate Army.

(Second husband.)

3. Reginald Fairfax. Served through the war in the Confederate Army.

4. Edward, a private in the Artillery of the Confederate States Army.

5. Margaret.

vi. Ethelbert, died in 1827.

vii. Aurelia, born in 1816. In 1852 she married Colonel James W. Irwin of Washington, and had :

1. Orlando Fairfax, born March 1854.

2. Augusta Neville, born in 1856.

viii. Lavinia, died in 1822.

ix. Monimia, born in 1820. On Nov. 15, 1838, she married her cousin Archibald Cary (younger son of W. I. Cary of Carysbrooke), who died in 1854. She had issue :

1. Falkland, born Feb. 17, 1840; died June 2, 1856.

2. Constance, born April 25, 1843. In 1868 she married Colonel Burton N. Harrison, Secretary to President Jefferson Davis. Now a lawyer in New York.

3. Clarence, born March 18, 1845. In the 17th Virginian Regiment. When only sixteen he carried a guidon, as a marker. Fought gallantly in the first battle of Manasses. Gazetted for gallantry at the defence of Fort Fisher against Butler. Midshipman in the Confederate States Navy. Now of New York.

x. Reginald, born in 1822. Lieutenant United States Navy. Resigned in 1861. Appointed Commander in the Confederate States Navy. Died at Richmond, Va. in 1862, unmarried.

## V.

### FAIRFAXES OF STEETON AND NEWTON KYME.

GABRIEL FAIRFAX, second surviving son of Sir William Fairfax of Steeton and Isabel Thwaits (*see page 396*), succeeded to the manors of Steeton, Bilbrough, and Bolton Percy. He married Elizabeth, daughter of Robert Aske of Aughton. He was buried on April 16, 1581; his wife on Dec. 6, 1571;\* both in Bolton Percy church. They had:†

- i. WILLIAM, who succeeded.
- ii. Francis, married Anne, daughter of Thomas, third son of Sir Nicholas Fairfax of Walton. (*See page 391.*) They had:
  1. Thomas, Lieutenant-Colonel under his cousin Ferdinando Lord Fairfax. He married Anne, daughter of John Lee, and had:
    1. Thomas, a Colonel at Scarborough siege. Died in Ireland. He married a daughter of William Lord Eure, widow of Sir F. Ireland, and had issue.
    2. Alexander.
    3. Edward.
    4. William, a Major under Lord Fairfax. Slain at the battle of Marston Moor.
    5. Elizabeth, died young.
  2. Paul.
  3. William, slain in London.
  4. Gabriel.
  5. Charles.
  6. Robert.
  7. Mary.
  8. Elizabeth.
  9. Rebecca.
- iii. Nicholas.
- iv. Anne, married at Bolton Percy to Sir Edmund Sheffield of Epworth on June 6, 1587.
- v. Mary, married to Sir Thomas Gower of Stittenham, and was mother of the first baronet, and great-grandmother of Sir William Leveson Gower of Trentham, ancestor of the Dukes of Sutherland.

\* This is the first Fairfax entry in the Bolton Percy Register.

† There was also Matthew, the son of Jane Roberts, alias Doughty, base begotten of Gabriel Fairfax of Steeton, baptized at Bolton Percy on Feb. 23, 1577.

vi. Thomas of Sledmere. He died in 1641, leaving, by his wife Dorothy . . . . . two children :

1. Mabel, married to Dr. Johnson of Langtoft.
  2. Charles of Sledmere, born in 1611. He married, first, Anne Johnson of Long Preston in Holderness; and, secondly, Mary, daughter of William Rousby of Crome. By his first wife he had:
    1. William, married Catharine, daughter of John Smith.
    2. Thomas, born 1633. Married Anne, daughter of Cuthbert Conyers of Leyton, co. Durham, and had:
      - (1). John, born 1652.
      - (2). Conyers, born 1660.

He married, secondly, Mary, daughter of Henry Anderson of Long Coulton.
  3. Dorothy, married to William Faucet of Sunderland.
  4. Elizabeth.
- (Second wife.)
5. Charles.
  6. Mary.
  7. Jane.

SIR WILLIAM FAIRFAX of Steeton was knighted by Queen Elizabeth in 1562. He enlarged and partly rebuilt the house at Steeton in 1595, living the while at Nunappleton.\* He married Mabel, daughter of Sir Henry Curwen of Workington in Cumberland, descended lineally from King Ethelred. Sir William died very suddenly at Funningley in the night of July 7, and was buried at Bolton Percy on July 9, 1603. His wife Mabel died in Lincolnshire, and was buried in the Steeton quire of Bolton Percy church on Nov. 29, 1624. Their children were:

- i. PHILIP, who succeeded.
- ii. Bridget, born and died in 1585. Buried at Bolton Percy.
- iii. Priscilla, baptized at Bolton Percy June 9, 1588. Married there on Jan. 10, 1610, to Anthony Saltmarsh.
- iv. William, baptized at Bolton Percy Aug. 11, 1590.
- v. Francis, baptized at Bolton Percy Oct. 13, 1594. Buried there Dec. 10, 1594.
- vi. Arthur, baptized at Bolton Percy April 21, 1596.

\* In 1597, after morning service one Sunday, Sir W. Fairfax, then living at Nunappleton, came out of the quire, called St. Mary's, into the body of the church, and there, in very good and orderly manner, desired, on behalf of Mr. James Moyser, the said Mr. Moyser not then denying it, that the parson and churchwardens should settle some convenient place for him and his party to sit during divine service. Nobody spoke anything at all against it. *Entry in Parish Register at Bolton Percy.*

- vii. Prudence, baptized at Bolton Percy March 12, 1597. Married to . . . . . Skelton.
- viii. Frederick, buried at Bolton Percy Aug. 7, 1601.
- ix. Mary, married to Everingham Cressy, Esq.

SIR PHILIP FAIRFAX of Steeton was baptized at Bolton Percy on Oct. 2, 1586. He sold the manor of Bolton Percy and surrendered the estate and tithes of Bilbrough to Sir Thomas Fairfax of Denton. In 1607 he married Frances,\* daughter of Edmund Lord Sheffield, Earl of Mulgrave,† and President of the North. He was buried at Bolton Percy on July 31, 1613, his wife on June 9, 1615. They had:

- i. Edmund, baptized in Steeton chapel Nov. 3, 1609. Died young.
- ii. WILLIAM, who succeeded. Born in 1610.
- iii. Thomas, baptized in Steeton chapel March 19, 1612.
- iv. John.
- v. Mary.
- vi. Ursula, married to James Chaloner, son of Sir Thomas Chaloner of Guisborough.‡ Mr. Chaloner was Member for Aldborough in the Long Parliament, a King's Judge, and Commissioner of the Isle of Man for Lord Fairfax. He wrote a history of the Isle of Man, and made collections for histories of Cheshire and Staffordshire. He died in 1660. They had issue:
  1. Edmund, born 1641.
  2. Mariana, married Robert Brathwayt of Warcop.
  3. Jemietia.
  4. Veriana.

SIR WILLIAM FAIRFAX § of Steeton commanded regiments for the Parliament at Edgehill, the storming of Leeds and Wakefield, battles of Adwalton and Nantwich, siege of Lathom, and a brigade at Marston Moor. He fell, covered with wounds, in the moment of victory, at Montgomery Castle on Sept. 19, 1644. In 1629 he married Frances,

\* Picture at Newton Kyme.

† Ibid.

‡ Love-letter to Miss Ursula from James Chaloner dated London Nov. 18, 1633, and another on Jan. 5, 1634.

§ Pictures at Newton Kyme and Hagley, and a miniature at Newton Kyme.

daughter of Sir Thomas Chaloner of Guisborough, who was born in February 1610. She was buried at Bolton Percy on Jan. 6, 1692, with her daughter Mrs. Bladen. The monument says "She lived mistress of Steeton above sixty years." They had six children:

- i. WILLIAM, baptized at St. Mary's Bishophill, York, on March 10, 1630, who succeeded.
- ii. Thomas,\* baptized at Newton Kyme on Aug. 22, 1633. He served in Jamaica. On Nov. 6, 1694, he was made Colonel of the 4th Foot on the Irish establishment. On June 11, 1696, Brigadier-General. Made a Major-General and Governor of Limerick by Queen Anne. He died in Dublin on March 11, 1712.
- iii. Catharine,† married, first, to Sir Martin Lister; and, secondly, to Sir Charles Lyttleton of Hagley, who was made Deputy-Governor of Jamaica in 1662. She went out with him and died there, with her son Henry, on Jan. 26, 1663. A monument to her memory was destroyed in an earthquake.
- iv. Isabella, baptized at Bolton Percy on Aug. 16, 1657. She married Nathaniel Bladen of Hemsworth, barrister-at-law. She was buried at Bolton Percy on Oct. 27, 1691.
  1. William, born at Steeton on Feb. 27, 1673, and baptized in Steeton chapel on March 2. He settled in Maryland; married Letitia, daughter of F. Dudley Loftus; and died on Aug. 9, 1718. Buried at Annapolis.
    1. Thomas, Colonel and Governor of Maryland. He married Barbara, daughter of Sir Theodore Tanner, and had:
      - (1). Harriet, Countess of Essex.
      - (2). Barbara, Mrs. St. John.
    2. Anne, married to the Hon. Benjamin Tacker of Maryland.
  2. Martin, a Colonel in the army in Spain under Peterborough. M.P. Comptroller of the Mint. Commissioner for Trade and Plantations. Under Secretary of State. Translated Cæsar's Commentaries. He lived at Abery Hutch in Essex, and died childless.
  3. Elizabeth, married to Edward Hawke, and mother of Admiral Lord Hawke.
  4. Isabella.
  5. Catharine.
  6. Frances.
- v. Mary, was baptized in Steeton chapel on July 4, 1640.
- vi. Philadelphia, was baptized in Steeton chapel on July 20, 1641. Buried at Bolton Percy on June 11, 1642.

\* Picture at Leeds Castle, and a miniature at Leeds Castle.

† Picture at Hagley.

WILLIAM FAIRFAX of Steeton was born in March 1630. In 1652 he married Catharine, daughter of Robert Stapleton of Wighill, by Catharine, daughter of Thomas Viscount Fairfax of Gilling. They had fourteen children, of whom only four survived infancy. He died at Newton Kyme on Jan. 17, 1673, and there is a monument to his memory in the church. His wife Catharine died in Lincolnshire on July 14, 1695, and was buried in the church of Auborne, near Lincoln.

- I. Catharine.
- II. Frances, born at Newton Kyme on Dec. 5, 1653. Buried there on July 22, 1723.
- III. William.
- IV. Arthur.
- V. Catharine.
- VI. Thomas, born in 1659. Buried in the north or Steeton quire of Bolton Percy church on April 27, 1669. On a slab :  
"Whom death made heir and no heir."
- VII. Henry, born in 1663. Died on Nov. 17, 1663, aged nine weeks, and buried at Newton Kyme.
- VIII. William, baptized in Steeton chapel, by Mr. Tobias Wickham, on Nov. 21, 1664. He was buried at Bolton Percy on July 20, 1694. His brother Robert fixed a tablet on a pillar in the church to his memory.
- IX. ROBERT, who succeeded. He was baptized in Steeton chapel on Feb. 23, 1665.
- X. Ann, baptized Dec. 20, 1666, at Bolton Percy. Died June 24, 1669. Buried at Newton Kyme.
- XI. Isabella, buried in the same grave with her father at Newton Kyme in 1673 (July), aged 24.
- XII. Elizabeth, baptized in Steeton chapel Feb. 21, 1670.
- XIII. Alathea, buried at Newton Kyme in 1744.
- XIV. Susannah (?) buried at Bolton Percy Oct. 11, 1696. Her daughter Ann was buried at Bolton Percy on April 21, 1695.

ROBERT FAIRFAX,\* of Steeton, Newton Kyme, Billbrough, and No. 71 Micklegate. Entered the navy. 1690-93, com-

\* Two portraits and a miniature at Newton Kyme. Monument in Newton Kyme church.

mander of the "Conception" (prize) on the New England station. April 1694, Captain of H.M.S. "Ruby" in the Irish Sea. In a gallant action he captured the French privateer "Entreprenant" of Brest (46 guns). In 1695 Captain of H.M.S. "Newark" (80 guns). Commanded her until the peace. In 1703 Captain of H.M.S. "Kent." In May sent in command of a squadron to reconnoitre Brest. Returned to St. Helen's in June. In June 1703 sent to attack a fleet of French merchant ships and their convoy in Cancele Bay. Sailed on June 22, and at daylight on the 26th sighted the enemy at anchor west of Granville. Took and destroyed forty-one ships, besides the convoy of three sloops of war. Received a gold medal for this service. On July 21, 1704, in the fleet of Admiral Rooke at the taking of Gibraltar. Received a silver cup, with an inscription, from Queen Anne.\* Vice-Admiral of the Blue squadron 1707. On the Council of Admiralty under Prince George of Denmark, June 20 to Oct. 28, 1708. M.P. for York 1713. Lord Mayor of York 1715. Removed the family-seat from Steeton to Newton Kyme, "where he built a pleasant seat" in 1714.† Planted the avenue. July 14, 1716, bought the estate and tithes of Bilbrough from the sixth Lord Fairfax. He married Hester, daughter of Robert Bushell of Ruswarpe, near Whitby. Admiral Fairfax died on Oct. 6, 1725, and was buried at Newton Kyme. His wife died at York, and was buried in St. Mary's Bishophill, in 1735, aged 80. They had two children:

- I. THOMAS,‡ who succeeded, born 1698.
- II. Catharine,§ married at Newton Kyme on Aug. 23, 1720, to Henry Pawson of York, who died on Jan. 24, 1730, aged 35, and was buried at St. Mary's Bishophill. He was son of Elias Pawson, Lord Mayor of York in 1704. Mrs. Pawson died on March 20, 1767. They had six children:
  1. Henry.

\* Still preserved at Newton Kyme.

† Thoresby, Duc. Leod. App. p. 119.

‡ A picture, when children, at Newton Kyme.

§ Ibid.

2. Robert, born 1721.
3. Elias, born and died 1722.
4. Martin, born and died 1724.
5. Charles.
6. Catherine, died 1730, aged 3.

THOMAS FAIRFAX of Steeton and Newton Kyme; also inherited the old Fairfax property of Bishophill in York. In 1745 he subscribed 100*l.* for the defence of Yorkshire against the Pretender. He was author of "The Complete Sportsman," published in 1760. On May 27, 1730, he was married, at Stainforth, to Elizabeth, sister of Lyndley Simpson, Esq. barrack-master at Limerick, and daughter of John Simpson of Babworth. She died at York on Feb. 9, 1780, aged 81.\* Mr. Fairfax died on April 2, 1774, and was buried at Newton Kyme. He had six children:

- i. Elizabeth, born at York on Feb. 20, 1730. She died on Sept. 2, 1800, and was buried at Newton Kyme.
- ii. ROBERT, of Newton Kyme, born at York on July 5, 1732. He never married, and died at Newton Kyme on Jan. 7, 1803. For an account of him see *Gent. Mag.* vol. lxxiii. i. p. 193.
- iii. JOHN, who succeeded.
- iv. Guy, born at Newton Kyme on July 29, 1735. Student of Christ Church, Oxford. A.M. 1759. Rector of Bilbrough 1760. Rector of Wigan in Lancashire 1776. In 1789 Rector of Newton Kyme. Built the rectory at Newton Kyme. He died there while performing the service on Sept. 7, 1794.† He married Henrietta Catharine, daughter of the Rev. Dr. Kearney by Henrietta Brydges, niece of James Duke of Chandos, and had :
  1. Robert.
  2. Guy Simpson,† born April 21, 1781. Died Jan. 4, 1819, and buried at Newton Kyme.
  3. Henrietta Catharine, born on April 17, 1787. On Oct. 26, 1824, she married Joseph Chamberlayne of Mangersbury, and had :
    1. Lavinia.
    2. Blanche.
 Mrs. Chamberlayne died on Dec. 14, 1869, at Ouchy.
- v. Thomas, born at York on Aug. 12, 1739. Died in two days.
- vi. William, born April 16, 1744. He died in Sept. 1762, aged 19.

\* Picture at Newton Kyme.

† See *Gent. Mag.* 1794, part ii.

‡ Monument in the church at Newton Kyme.

JOHN FAIRFAX, of Steeton and Newton Kyme, was born at York on March 9, 1734. He lived at Liverpool, and afterwards in the Circus, Bath, until he succeeded his brother at Newton Kyme in 1803. He married Jane, daughter of George Lodington of Bracebridge Hall in Lincolnshire, who died at Bath on Aug. 15, 1809, aged 77. He died at Newton Kyme on Feb. 28, 1811, also aged 77, leaving an only child

THOMAS LODINGTON.

THOMAS LODINGTON FAIRFAX of Steeton and Newton Kyme, was born at Liverpool on May 30, 1770. He lived at Lotherton, near Aberford, and afterwards at Bilbrough Hall, until he succeeded his father at Newton Kyme in 1811. On Aug. 12, 1799, he was married, at Sherburn church, to Theophania, eldest daughter of Edward James Chaloner of Lincoln by Theophania Burrige, and granddaughter of William Chaloner of Guisborough. She was born on Jan. 23, 1779.\* Mr. Fairfax died on July 1, 1840, at Newton Kyme, leaving four children:

- I. Jane Frances, born Nov. 30, 1800.
- II. Elizabeth, born at Bilbrough on March 20, 1802. On Feb. 4, 1833, she married the Rev. Thomas Hart Dyke, and had:
  1. Thomas, born 1834. On Feb. 26, 1863, he married Georgina, daughter of B. Fullerton, Esq.
  2. Percival Hart, born 1835. In Holy Orders.
  3. Francis Hart, born 1838. A Civil Engineer.
  4. Theophania Anne.
- III. Theophania, born at Bilbrough on May 4, 1803. On Nov. 24, 1846, she married Henry Collingwood Blackett, Esq. brother of Sir Edward Blackett, Bart. of Matfen.
- IV. THOMAS.

THOMAS FAIRFAX, of Steeton and Newton Kyme, was born at Bilbrough on Nov. 2, 1804. He was at Eton, and Christ Church. On July 29, 1836, he married Louisa Constantia, daughter of George Ravenscroft, Esq. E.I.C.S. born at Lucknow. They have:

- I. THOMAS FERDINAND, his eldest son.

\* Miniature at Newton Kyme.

- ii. Constance Frances, born May 15, 1837. On March 30, 1864, she married David, second son of Charles Craigie Halkett, Esq. and of Susan, daughter of Sir John Marjoribanks, Bart. He was born on July 10, 1835. He entered the Bengal Civil Service in 1856. Joint Magistrate at Mirzapore 1870.
- iii. Emma Louisa, born June 27, 1838. On June 22, 1859, she married the Hon. Charles Pierrepont D'Arcy Lane Fox, who was born on Aug. 25, 1830. She died on Jan. 30, 1870.
  1. Charlotte.
  2. Caroline.
  3. Edith.
  4. , born Jan. 25, 1870.
- iv. Katherine Henrietta, born Oct. 10, 1842. On Oct. 27, 1868, she married William W. Wickham, Esq. son of Lamplugh Wickham, Esq. and of Fanny, daughter of Colonel William Hale of Acomb. They have :
  1. Thomas Lamplugh, born Oct. 27, 1869.
- v. Isabel Augusta, born Nov. 17, 1843. On Jan. 27, 1870, she married Edward, only son of Edward York, Esq. of Wighill Park, and of Penelope, daughter of the Rev. Christopher Sykes, Rector of Roos.
- vi. Reginald Guy, born Nov. 5, 1845. In the Royal Navy, and afterwards settled in Queensland, Australia.
- vii. Charles Henry, born Jan. 2, 1849. At Eton and St. John's College, Oxford.

THOMAS FERDINAND, eldest son of Thomas Fairfax, Esq. of Steeton and Newton Kyme, was born at Boston Spa on Oct. 6, 1839. At Eton. Ensign in the Grenadier Guards July 17, 1857. Lieutenant and Captain May 17, 1861. Went to Canada Dec. 1861. Returned Sept. 1864. Adjutant Nov. 20, 1867. Lieutenant-Colonel April 8, 1870. On April 14, 1869, he married Evelyn Selina, daughter of Sir William Milner, Bart. of Nunappleton, at Bolton Percy church. They have:

- i. GUY THOMAS, born at Nunappleton on April 13, and baptized in Bolton Percy church on May 8, 1870.

## VI.

### FAIRFAXES OF THE MIDLAND COUNTIES.

HUGO FAIRFAX was a grandson of Thomas Fairfax of Walton and of Margaret, heiress of Sir John de Etton of Gilling. (*See page 386.*) This appears from his descendants bearing exactly the same arms as the Walton Fairfaxes (see *Ful-ler's Worthies*, p. 296), and also bearing the arms of Etton. Hugo had manors in Lincolnshire and Nottinghamshire. He married Isabella, daughter of Sir John Harrington, in the reign of Richard II. and had a son

JOHN.\*

JOHN FAIRFAX was of Deeping-gate in Northamptonshire. By his wife Margaret he had a son

WILLIAM.

WILLIAM FAIRFAX, of Deeping-gate, was High Sheriff of Northamptonshire in 1461. He wrote a book of psalms and prayers, which was in the minster library at York.† By his wife Margaret he left a son

WILLIAM.

WILLIAM FAIRFAX, of Deeping-gate, married, first, Elena, daughter of Sir Thomas Brereton of Cheshire; and, secondly, Agnes, daughter of Robert Tanfield. He died in 1497, having had sixteen children:

1. WILLIAM of Deeping-gate, who died in 1505, leaving a daughter and heiress

Margaret, married, first, to John Peyton; secondly, to Miles Worseley; and, thirdly, to Robert Brudenell. Her son by her second husband, John Worseley, had a son, Richard Worseley of Deeping-gate, living in 1610.

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\* Addit. MSS. British Museum, 5812, p. 174; and Harl. MSS. 1187, f. 27b.

† *Analecta Fairfaxiana*, p. 178.

II. John of Swarby,\* in Lincolnshire, married Anne May of Sussex, and had :

1. William of Swarby, married to Elizabeth, daughter of Robert Carre of Sleaford, and had a daughter Elizabeth.
2. George, married to Alice, daughter of John Bradley, and had three daughters:
  1. Elizabeth.
  2. Anne, wife of William Marshall.
  3. Margaret.
3. Humphrey, had a daughter Margaret.
4. Richard of Swarby, married Margaret Southwick, and had:
  1. George of Swarby.† An eminent physician. His wife Anne was buried at Sculcoates Aug. 31, 1615.
  2. Jane, wife of John Bradley.
5. Elizabeth, married to John Skinner, and had issue:
  1. Sir Vincent Skinner of Thornton, co. Lincoln. He married Miss Ffowkes, and had a son William Skinner of Thornton, married to Bridget, daughter of Sir Edward Colne. Sir Vincent was knighted on May 7, 1603, and died in 1616.
  2. Henry Skinner of Bolingbroke.

III. Robert or Ralph, the last prior of Kyme. He bought estates, which he gave to his nephew William of Swarby.

IV. Thomas.

V. Edward.

VI. Charles.

VII. Hugo.

VIII. Henry.

IX. Guy.

X. Anne, wife of John Faxley.

XI. Elizabeth, wife of John Fowell.

XII. Agnes, wife of Thomas Wake.

XIII. Anna.

XIV. Maria.

XV. Susanna.

XVI. Bridget.

One of these numerous sons of William Fairfax of Deeping-gate appears to have settled in Warwickshire, and from him descend the branches formerly of Barford and Brinklow in that county.

\* Harl. MSS. 1190 f. 79 b. and 1550 f. 206 b.

† In the *Analecta Fairfaxiana* this George Fairfax is said to have been "Ducis Buckinghamiæ proavunculus;" a daughter of these Lincolnshire Fairfaxes having married a Beaumont, and the mother of Buckingham having been a Beaumont. A Dr. Paris, who furnished information on these points in 1662, is mentioned as a nephew of George Fairfax the physician.

RICHARD FAIRFAX was of Barford in Warwickshire in the reign of Elizabeth. He had a son John, a grandson John Joseph, and a great-grandson Samuel, born Oct. 24, 1647. Rev. Thomas Dugard, Rector of Barford, composed the following lines on the birth of Samuel:

Fairfax the fourth was born, a gallant boy,  
 Father's, grandfather's, great-grandfather's great joy.  
 Under one roof these three dwell with their three wives,  
 And at one table eat what Heaven gives.  
 Our times a sweeter harmony have not known,  
 They are six persons yet their hearts but one.  
 And of these six, as none has hitherto  
 Known marriage twice, soe none desireth to doe.  
 Mate is to mate as dearest dove to dove,  
 Even grandest wrinkles are still full of love.  
 In these three pairs Barford doth greatly glory,  
 What other place can parallel this story? \*

There are seventy-four Fairfax entries in the Barford Register between 1647 and 1784, and twenty-three in those of Warwick. John Fairfax was Mayor of Warwick in 1730. Mary Fairfax of Barford, the last of the family owning property there, married George Edmonds, and is still living. She has cousins settled in Birmingham.

THOMAS FAIRFAX, of Brinklow in Warwickshire, and Broughton Astley in Leicestershire, was, judging from the prevalence of the names Samuel and Joseph in both branches, of the Barford family. Thus he would apparently be descended, through the Fairfaxes of Deeping-gate, from Thomas Fairfax of Walton and Margaret Etton. (*See page 386.*) He was born in about 1640, and died at Brinklow in 1695, having, by his wife Anne, had issue:

- I. JOHN, of Brinklow.
- II. Thomas, of Fleet in Lincolnshire, born Nov. 3, 1680. He married Mary, daughter of John Souter, and had :
  1. Ann, married Rev. John Francklin of Weavenham in Norfolk, and had a son:  
 John Fairfax Francklin, the grandfather of the present Rev. John Fairfax Francklin, Vicar of Whaplode in Lincolnshire.
  2. Elizabeth, born 1715. Married Raphael Somerville of Coventry.
  3. Mary, born 1721. Married Walter Johnson, and had a son Fairfax Johnson.
  4. Lydia, married John Grundy.

\* Barford Parish Register; Camden's Britannia, vol. i. p. 606; *Analecta Fairfaxiana*, p. 184; Notes and Queries, third series, i. p. 431.

- III. Samuel, of Coventry and Brinklow, born 1681. He died unmarried in 1760.
- IV. William, in Holy Orders, of Hambledon in Buckinghamshire. Born 1687. Died unmarried 1762.
- V. Joseph, born 1693. Died unmarried in 1749.
- VI. Mary, born 1677. Died 1679.
- VII. Ann, born 1679. Married, at Coventry, to John Scott, Esq. on May 27, 1704.
- VIII. Elizabeth, born 1784. Married to Philip Boss.

JOHN FAIRFAX, of Brinklow, was born in 1675. He died in 1713. By his wife Elizabeth he had issue:

- I. Thomas, born and died in 1704.
- II. John, born 1709.
- III. William, born 1714. He married and had issue:
  - 1. John.
  - 2. Anne.
- IV. Elizabeth, born and died in 1702.
- V. Mary, born in 1705.
- VI. Elizabeth, born 1707, died 1708.
- VII. Ann, born 1712.

JOSEPH FAIRFAX, also of the Lincolnshire or Warwickshire family, and so descended from the families of Deeping-gate and Walton (*see pages 386 and 620*), was born in 1706. He served in the army, and, on retiring, lived near Bagshot, where he died on June 19, 1783. He is buried at Windlesham. By his wife Mary Anne he had:

- I. Joseph, who held an appointment in Windsor Park. He married, in 1765, Mary, daughter of Giles Cotterell, and had two daughters:
  - 1. Hester, married to Lieut. Hyde Bromwich, 38th Regiment, in 1788.
  - 2. Elizabeth, married, in 1794, to John Atkins, Esq.
- II. WILLIAM GEORGE, born in 1738.

SIR WILLIAM GEORGE FAIRFAX, second son of Joseph, was born in 1738. He was educated at Stamford school. In 1750 he entered the Royal Navy, and served constantly for nearly fifty years. In 1759 he was at the battle of Quebec under General Wolfe. In 1778, when in command of H.M.S. "Alert," he captured "Le Coureur," the first ship taken in that French war, at the same time that

the "Arethusa" was engaged in her famous action with the "Belle Poule." Fairfax was Flag-Captain to Admiral Duncan at the battle of Camperdown on Oct. 11, 1797. For this service he was knighted, and received a gold medal and a sword of the value of 100 guineas from Lloyd's. He died a Vice-Admiral of the Red. On going with his ship to Scotland he married there, first, Hannah, daughter of the Rev. Robert Spiers. She died, childless, in 1770. He married, secondly, Margaret, daughter of Samuel Charters, Solicitor of Customs for Scotland. He made his wife's country his home, and died at Edinburgh on Nov. 7, 1813.\* He is buried at Burntisland, Fifeshire. He had issue:

- I. Joseph, died young.
- II. Samuel, of the Bengal Civil Service. Died unmarried, in India, in 1798.
- III. William George, died young.
- IV. HENRY, who succeeded.
- V. Christian, died young.
- VI. Mary, born in Roxburghshire on Dec. 26, 1780. She married, first, Samuel Greig (son of Admiral Greig, the founder of the Russian Navy), and had a son  
Woronzow Greig, born 1804, barrister-at-law, who died 1865.  
She married, secondly, William Somerville, Esq. and has two daughters,  
Martha and Mary, both unmarried.  
Mrs. Somerville is the author of "Mechanism of the Heavens," "Connection of Physical Sciences," "Physical Geography," and "Molecular and Microscopic Science."  
She is gold-medallist of the Royal Geographical Society.
- VII. Margaret, died young.

SIR HENRY FAIRFAX, BART., was born at Burntisland on Feb. 3, 1790. He entered the army in 1808, served in the Peninsular war, and became a Colonel in 1841. He was created a Baronet on Feb. 21, 1836. He married, first,

\* There is a portrait of Sir William Fairfax, by Sir Martin Shee, now in the possession of his grandson, the present Baronet, from which an engraving has been taken.

on Jan. 30, 1830, Archibald Montgomerie, daughter of Thomas Williamson Ramsay, Esq. of Lixmount, co. Edinburgh, who died in 1844; and, secondly, on Dec. 19, 1851, Sarah, daughter of William Astell, Esq. M.P. Sir Henry died at Edinburgh on Feb. 3, 1860. By his first wife he had:

- I. WILLIAM GEORGE HERBERT TAYLOR, who succeeded.
- II. Thomas Edward, born at Edinburgh on March 7, 1832. In 1854 he entered the Bengal Civil Service. Assistant Collector at Allahabad, Banda, and Budaon. Retired in 1862.
- III. Henry, born at Edinburgh on Jan. 21, 1837. Captain in the Royal Navy April 3, 1868. F.R.G.S. He was promoted to the rank of Commander for his "great gallantry" in the capture of a piratical slaver in the Mozambique channel.\*
- IV. Elizabeth Mary Somerville, married, in 1861, to James Liebig Gregory, Esq. who died in 1863. She has:
  1. Henry Makdougall John Fairfax Gregory, born Nov. 29, 1862.

SIR WILLIAM GEORGE HERBERT TAYLOR FAIRFAX, BART. was born at Edinburgh on March 15, 1831, and succeeded his father as second Baronet in 1860. Ensign Nov. 21, 1851. Lieut. Dec. 22, 1854. Served in the Crimea with the 31st Regiment at the siege and fall of Sebastopol. Captain Nov. 18, 1859. Aide-de-Camp to the Governor of Malta 1860-64, and to the Lieutenant-General commanding the Western district 1865-66. Major unattached. On Sept. 17, 1868, he married Mary Ann Pawson Hargrave, only daughter of William John Pawson, Esq. of Shawdon Hall in Northumberland. Mr. Pawson is great-nephew of Henry Pawson, who married Catharine, daughter of Admiral Fairfax of Newton Kyme. (*See page 616.*)

\* See Yonge's "Naval History."

## VII.

## FAIRFAXES OF AUSTRALIA.

WILLIAM and JOHN FAIRFAX were of the Barford family.  
(See page 62.)

John was of Harbury, and had two sons: Thomas, of Broad Street, Birmingham, and another a Dissenting Minister.

William had two sons, William and John, who settled in Australia, and were authors of two books, "Colonies of Australia in 1852," and "Handbook to Australia 1859." William died in 1870, leaving four sons, who have many children. John Fairfax is of Sydney, New South Wales. He is proprietor of the "Sydney Morning Herald" (the "Times" of Australia), and is one of the most respected and influential men in the Colony. He married Miss Reading of Warwick, and has had three sons, Charles, James, and Edward; and a daughter, married to Mr. Ross.

\* From the *Melbourne Argus* (March 28, 1870): "Mr. John Fairfax, the senior proprietor of the *Sydney Morning Herald*, has recently received, as a united present, the photographs of nearly the whole of his employés, neatly arranged in an oval form and framed, the picture being about 4 ft. by 2 ft. 6 in. in size. The central figure is, of course, Mr. John Fairfax. On either side are the photographs of the two junior proprietors of the *Herald*, Messrs. James and Edward Ross Fairfax. In all there are one hundred and nine photographs. On the top is a likeness of the late Mr. Charles Fairfax, without whose well-remembered face the donors thought the picture would be incomplete. The presentation was accompanied by an address, read by the Rev. John West, the senior editor of the *Sydney Morning Herald*."

## ARMORIAL BEARINGS OF THE FAIRFAXES.

The most ancient coat of arms borne by the Fairfaxes of Walton was Argent, three bars gemelles gules surmounted by a lion rampant sable. Crest, a lion passant sable. Motto, *Lucem fer fax*. Supporters, two goats.

The Fairfaxes also, in ancient times, sometimes bore the arms of Malbis—Argent, a chevron between three hind's heads erased sable. This was on the seal of Thomas Fairfax of Walton (1350), and was in one of the windows (N.W.) of Bolton Percy church.

VISCOUNT FAIRFAX of Gilling, in 1660, had two lions, as in the coat, for supporters, and the motto *Je le feray durant ma vie*. He quartered the arms of Bugthorp, Sezevaux, Malbis, Calthorpe, Mauley, and Stapleton.

SIR GUY FAIRFAX of Steeton at first bore his bars unbroken, and not gemelles. When he became a Judge he adopted the gemelles, with a white rose on the shoulder of his sable lion, being an honourable augmentation for his valour and great services in the cause of the House of York. His crest, a leopard's head erased sable. Supporters, two angels. Motto, *Fare faxis*. Over the gate at Steeton all this was carved,\* with a shield quartering with Fairfax the arms of Bugthorp, Sezevaux, Malbis, Etton, Calthorpe, Mauley, and Erghom. On a screen in the lobby of the hall at Steeton Sir Guy had a shield with Fairfax and Malbis placed fess-wise, impaled with Ryther (his wife's arms).

SIR WILLIAM FAIRFAX (the second) of Steeton had two goats for supporters (the ancient supporters of his Walton ancestors) instead of the angels. His banner, when he commanded the trained bands of Yorkshire, at the battle of Musselborough, was Argent, a cross of St. George gules; and in the fly per fess argent and gules, with a goat's head as a device.† His banner, as given in 1534, was Per fess argent and sable; with a device, On a wreath a goat's head barry of six argent and gules, ducally gorged and armed or.‡

\* Still to be seen in 1663, according to the A. F.

† A. F. p. 197.

‡ Harl. MSS. 4632, f. 209—225.

SIR THOMAS FAIRFAX of DENTON changed the field of his coat from argent to or, as a difference from the Walton and Steeton branches.

THOMAS first LORD FAIRFAX added supporters, Dexter, a lion rampant guardant sable, and sinister, a bay horse saddled and bridled. Crest, A sable lion passant guardant. Motto, *Fare Fac*. On the shield on his tomb at Otley church are the following quarterings—1. Fairfax; 2. Malbis; 3. Etton; 4. Mauley; 5. Arghom; 6. Follouet; 7. Thwaites; and 8. Fairfax. At the sides the arms of Gale (his mother's) and of Aske (his wife's).

FERDINANDO second LORD FAIRFAX, on his tomb in Bolton Percy church, has the same crest and motto, and the following quarterings—1. Fairfax; 2. Malbis; 3. Etton; 4. Vesci; 5. Mauley; 6. Calthorpe; 7. Arghom; and 8. Thwaites.

In the Heralds' Visitation of 1666, HENRY FAIRFAX of OGLETHORPE gives as his crest a lion's head erased sable; while his brother CHARLES gives the lion passant guardant. Both give the same quarterings, viz.: 1. Fairfax; 2. Bugthorp; 3. Sezevaux; 4. Malbis; 5. Etton; 6. Mauley; 7. Calthorpe; 8. Thwaites. Charles has the arms of Brearay on a scutcheon of pretence.

THOMAS third LORD FAIRFAX used on his seal a leopard's head erased,\* the motto *Fare Fac*, and round the edge "*Mon Dieu je servirai tant que je vivrai.*" In the *Analecta* his crest is given as a lion passant guardant, motto, supporters, and quarterings as the first Lord, with Vere on a scutcheon of pretence. On the frontispiece of Sprigge's *Anglia Rediviva* his shield is given with twenty quarterings—1. Fairfax; 2. Malbis; 3. Acaster; 4. Nevill; 5. Etton; 6. Burgovile; 7. Vesci; 8. Tyson; 9. Oketon; 10. (?); 11. Northorp; 12. Mauley; 13. Arghom; 14. Follouet; 15. Thwaites; 16. Thornton; 17. Leake; 18. De la Hay; 19. Middleton; 20. Fairfax. On the tomb in Bilbrough church the arms on the top slab are Fairfax impaling Vere. On the shield at the west end are, 1. Fairfax; 2. Malbis; 3. Etton; 4. Thwaites; and Vere on a scutcheon of pretence.

SIR WILLIAM FAIRFAX (the third) of Steeton, in the Heralds'

\* This was the crest of the Steeton branch at that time. May it not be that this seal was given to him, by the widow, as a memento of his cousin and comrade in arms Sir William Fairfax of Steeton, who was slain at Montgomery Castle?

Visitation of 1584 gave as his crest a lion's head erased sable, gorged with three bars gemelles or, and ducally crowned or. The lion in his arms is ducally crowned as a difference from the Walton and Denton branches ; \* and he continued the white rose on its shoulder. He quartered 1. Fairfax; 2. Malbis; 3. Etton; 4. Mauley; 5. Follouet; 6. Arghom; 7. Thwaites; 8. Fairfax. Over the door at Steeton he had, carved in stone, a shield of Fairfax and Thwaites quarterly, impaling Curwen and Brun quarterly (his wife's arms); the motto *Fare Faceto*, and date 1595. This is now over the hall door at Newton Kyme.

The FAIRFAXES of NEWTON KYME now bear Argent, three bars gemelles gules surmounted by a lion rampant sable ducally crowned or. The white rose on the lion's shoulder was borne by them until the time of Admiral Fairfax in 1725, but it since appears to have fallen into disuse. The crest a lion passant guardant sable; and the motto *Fare Fac*. The supporters used by Sir Guy and Sir William of Steeton have also fallen into disuse.

The FAIRFAXES of DEEPING-GATE, Robert Fairfax, the Doctor of Music, and other younger branches of the Yorkshire family, usually bore the arms of the Etton heiress (*see p. 386*), Barry of eight or and gules, a canton in the dexter chief.

\* Gabriel Fairfax differenced his coat by bearing an annulet on a crescent as fifth son of the second house; but his son Sir William avoided this by crowning his lion.



## AUTHORITIES.

ANALECTA FAIRFAXIANA, a manuscript volume, written on vellum by Charles Fairfax of Menston between 1652 and 1660. It contains a history of all the branches of the family from the earliest times, and is now the property of the Rev. J. Hutton Crowder.\*

The FAIRFAX FAMILY-BIBLE AT LEEDS CASTLE (Beck's, temp. Edw. VI.) contains the children of the first, second, third, and fourth lords, and of Henry of Oglethorpe and Charles of Menston. The entries are in the handwriting of Charles Fairfax of Menston, and his son Thomas, and of George William Fairfax of Toulston.

The FAIRFAX FAMILY-BIBLE AT NEWTON KYME (4to-1797), with silver clasps and monogram on the back, has entries of all Fairfaxes of Newton Kyme from Thomas (the Admiral's son) to the present time.

VISITATIONS OF YORKSHIRE AND CUMBERLAND for 1584 and 1666 in the College of Arms, and a copy of a manuscript belonging to Thomas Fairfax of Menston in Brook's "Collections for Yorkshire," also in the Herald's College.

PEDIGREES in the Addit. and Harl. MSS. in the British Museum.

PARISH REGISTERS at Bolton Percy (forty-three entries), Newton Kyme, Bilbrough, Bramham, Otley, Bishophill in York, Fewston, Leeds, Brinklow, and Barford. Monuments at Bolton Percy, Bilbrough, Newton Kyme, Otley, Denton, and Norwich. Information from the Hon. Dr. ORLANDO FAIRFAX, Mr. CLARENCE CARY, Mr. WILSON CARY, and Mr. DOUGLAS FORREST of Baltimore, for the American branch. For the Viscounts Fairfax of Gilling see Lodge's "Peerage of Ireland."

\* This copy of the *Analecta* was inherited by John Fairfax, a younger son of Charles of Menston. (See p. 401.) This John had two daughters: Frances, who died young, and Anne, married to Mr. Pulleyn of Burley, near Otley. She was born in 1670, and died in 1742. Her son, Thomas Pulleyn of Burley, had an only daughter, Frances, married to Rev. T. Mosley, and mother of Thomas Pulleyn Mosley, who married Anne, daughter of Mr. Pulleyn of Carlton, co. York. (See p. 405.) Their daughter, Eliza Pulleyn Mosley, who died in 1851, married Colonel Crowder, and had a son, now the Rev. John Hutton Crowder, who is the present owner of the *Analecta Fairfaxiana*.

# DESCENTS OF THE PEERS OF GREAT BRITAIN AND IRELAND FROM KING HENRY THE SEVENTH.

Compiled by the late HENRY MAXWELL, 7th LORD FARNHAM, K.P.

[This Catalogue of Pedigrees formed by the late Lord Farnham is copied from a list which was printed for his private use in February 1860, and we take it from a copy to which his Lordship made several manuscript additions in February 1863.]

Where the letters R.A. are prefixed, they denote a right to quarter the Royal Arms of England.

THE QUEEN (2 Descents)	. . .	<i>Through</i>	James IV., James V., Mary, James VI., Elector Palatine, Hanover, &
		„	Angus, Lennox, James VI., Elector Palatine, Hanover, &
PRINCESS OF WALES (4 Descents)	. . .	„	James IV., James V., Mary, James VI., Elector Palatine, Hanover (George II.), Hesse Cassel, Holstein S.G.; Denmark, &
		„	James IV., James V., Mary, James VI., Elector Palatine, Hanover (George II.), Hesse Cassel, Denmark, &
		„	Angus, Lennox, James VI., Elector Palatine, Hanover (George II.), Hesse Cassel, Holstein S.G., Denmark, &
		„	Angus, Lennox, James VI., Elector Palatine, Hanover (George II.), Hesse Cassel, Denmark, &
CUMBERLAND (King of Hanover) (2 Descents)	. . .	„	James IV., James V., Mary, James VI., Elector Palatine, Hanover, &
		„	Angus, Lennox, James VI., Elector Palatine, Hanover, &
CAMBRIDGE (4 Descents)	. . .	„	James IV., James V., Mary, James VI., Elector Palatine, Hanover, &
		„	James IV., James V., Mary, James VI., Elector Palatine, Hanover, George I., Hesse, &
		„	Angus, Lennox, James VI., Elector Palatine, Hanover, &
		„	Angus, Lennox, James VI., Elector Palatine, Hanover, George I., Hesse, &
ABERDEEN . . .	. . .	<i>Through</i>	Brandon, Clifford, Stanley, Athol, &
AILESBUURY . . .	. . .	„	Brandon, Grey, Seymour, &
ANGLESEY . . .	. . .	„	Brandon, Clifford, Stanley, Egerton, Jersey, &
ASHBURNHAM (2 Descents).	. . .	„	Brandon, Grey, Seymour, Percy, &
		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Seymour, Percy, &

ATHOL (4 Descents)	R.A.	<i>Through</i>	Brandon, Clifford, Stanley, &
	R.A.	„	Brandon, Clifford, Stanley, &
		„	Brandon, Grey, Seymour, Percy, &
		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Seymour, Percy, &
AVELAND . . . . .		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Dysart, &
AYLESFORD (3 Descents)		„	Brandon, Grey, Seymour, &
		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Thynne, &
		„	Brandon, Grey, Seymour, Winchilsea, Thynne, Brooke & Warwick, &
BAGOT . . . . .		„	Brandon, Grey, Seymour, Aylesford, Dartmouth, &
BANDON . . . . .		„	Brandon, Grey, Seymour, Boyle, &
BANGOR . . . . .		„	Brandon, Grey, Seymour, Boyle, Carrick, Farnham, &
BATEMAN . . . . .		„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Templemore, &
BATH (2 Descents)		„	Brandon, Clifford, Stanley, Egerton, Exeter, Boyle, Byng, &
		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, &
BEAUCHAMP . . . . .		„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, St. Germain's, &
BEAUFORT . . . . .		„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, &
BEDFORD . . . . .		„	Brandon, Clifford, Stanley, Egerton, Exeter, Boyle, Byng, &
BELMORE (2 Descents)		„	Brandon, Grey, Seymour, Boyle, Carrick, &
		„	Brandon, Grey, Seymour, Boyle, Carrick, Belmore, Carrick, &
BESSBOROUGH . . . . .		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, &
BEVERLEY . . . R.A. (2 Descents)		„	Brandon, Grey, Seymour, and Percy.
		„	Brandon, Grey, Seymour, Winchelsea, Thynne, Seymour, and Percy.
BRADFORD . . . . .		„	Brandon, Clifford, Stanley, Egerton, Exeter, Boyle, Byng, &
BRAYBROKE (2 Descents)		„	Brandon, Grey, Seymour, Wyndham, Grenville, &
		„	Brandon, Clifford, Stanley, Athol, Aberdeen, Gordon, Cornwallis, &
BROOKE AND WARWICK .		„	Brandon, Grey, Seymour, Winchilsea, Thynne, &
BROWNLOW . . . . .		„	Brandon, Clifford, Stanley, Egerton, Hume, &
BUCCLEUCH (3 Descents)		„	Brandon, Grey, Seymour, Boyle, Queensberry, &

BUCCLEUCH— <i>continued</i>	. Through	Brandon, Grey, Seymour, Bruce, Brudenell, &
	„	Brandon, Grey, Seymour, Bruce, Brudenell, Powis, Sydney, &
BUCKINGHAM (2 Descents)	„	Brandon, Grey, Seymour, Wyndham, &
AND CHANDOS . R.A.	„	Brandon, Grey, Seymour, Bruce, Brydges, &
BUTE . . . .	„	Brandon, Clifford, Stanley, Hastings, Rawdon, &
CARDIGAN . . . .	„	Brandon, Grey, Seymour, Bruce, &
CARLISLE (3 Descents)	„	Brandon, Clifford, Stanley, Egerton, Stafford, &
	„	Brandon, Grey, Seymour, Boyle, Devonshire, &
	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, Devonshire, &
CARNARVON . . . .	„	Brandon, Grey, Seymour, Wyndham, &
CARRICK . . . .	„	Brandon, Grey, Seymour, Boyle, &
CAWDOR (3 Descents)	„	Brandon, Clifford, Stanley, Egerton, Stafford, Carlisle, &
	„	Brandon, Clifford, Stanley, Egerton, Exeter, Boyle, Byng, Bath, &
	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Bath, &
CHESHAM . . . .	„	Brandon, Grey, Seymour, Boyle, Devonshire, Burlington, &
CHESTERFIELD . . . .	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Thynne, &
CHURCHILL . . . .	„	Brandon, Grey, Seymour, Sutton, Ward, Grey, Wrottesley, Grafton, &
CLIFDEN (3 Descents)	„	Brandon, Clifford, Stanley, Egerton, Stafford, Carlisle, &
	„	Brandon, Grey, Seymour, Boyle, Devonshire, Carlisle, &
	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, Devonshire, Car- lisle, &
CLONMEL . . . .	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Warwick, &
CORK AND ORRERY . .	„	Brandon, Clifford, Stanley, Egerton, Exeter, &
COURTOWN (7 Descents)	„	Brandon, Grey, Seymour, Boyle, Queensberry, Buccleuch, &
	„	Brandon, Grey, Seymour, Boyle, Queensberry, Buccleuch, Courtown, Buccleuch, &
	„	Brandon, Grey, Seymour, Bruce, Brudenell, Buccleuch, &
	„	Brandon, Grey, Seymour, Bruce, Brudenell, Buccleuch, Courtown, Buccleuch, &
	„	Brandon, Grey, Seymour, Bruce, Brudenell, Powis, &
	„	Brandon, Grey, Seymour, Bruce, Brudenell, Powis, Buccleuch, Courtown, Buccleuch, &
	„	Brandon, Grey, Seymour, Bruce, Brudenell, Powis, Sydney, Buccleuch, &

CREWE . . . .	<i>Through</i>	Brandon, Grey, Seymour, Hungerford, Keate, Walker (Hungerford,) &
CROFTON . . . .	,,	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
DARTMOUTH . . . .	,,	Brandon, Grey, Seymour, Aylesford, &
DELAMERE . . . .	,,	Brandon, Grey, Seymour, Wyndham, Grenville, Wynne, &
DE LISLE . . . .	,,	Brandon, Clifford, Stanley, Egerton, Sydney, Perry, Shelley, &
DE MAULEY (2 Descents) .	,,	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, Bessborough, &
	,,	Brandon, Clifford, Stanley, Egerton, Exeter, Shaftesbury, &
DERBY . . . .	,,	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Hamilton, &
DE ROS . . . .	,,	Brandon, Grey, Seymour, Boyle, &
DEVONSHIRE . . . .	,,	Brandon, Grey, Seymour, Boyle, Devonshire, Burlington, &
DONERAILE . . . .	,,	Brandon, Grey, Seymour, Boyle, Bandon, &
DOWNE . . . .	,,	Brandon, Clifford, Stanley, Egerton, Jersey, Bagot, &
DUCIE . . . .	,,	Brandon, Grey, Seymour, Wyndham, Carnarvon, &
DUDLEY . . . .	,,	Brandon, Grey, Seymour, Sutton & Ward,
DUNFERMLINE . . . .	,,	Brandon, Clifford, Stanley, Egerton, Leigh of West Hall, &
DUNMORE . . . . R.A.	,,	Brandon, Clifford, Stanley, Athol, &
(4 Descents)	,,	Brandon, Clifford, Stanley, Athol, Nairne, &
	,,	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
	,,	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Hamilton, &
DURHAM . . . .	,,	Brandon, Clifford, Stanley, Egerton, Jersey, &
DYNEVOR . . . .	,,	Brandon, Grey, Seymour, Bruce, Brudenell, Powis, Sydney, &
DYSART . . . .	,,	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, &
EGERTON (2 Descents) .	,,	Brandon, Clifford, Stanley, Egerton, Tatton, &
	,,	Brandon, Clifford, Stanley, Egerton, Tatton, Sykes, &
ELLESMERE . . . . R.A.	,,	Brandon, Clifford, Stanley, Egerton, Stafford, &
(5 Descents)	,,	Brandon, Grey, Seymour, Boyle, Devonshire, Portland, Greville, &
	,,	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Bath, Cawdor, &
	,,	Brandon, Clifford, Stanley, Egerton, Stafford, Carlisle, Cawdor, &
	,,	Brandon, Clifford, Stanley, Egerton, Exeter Byng, Bath, Cawdor, &

EXETER . . . .	<i>Through</i>	Brandon, Clifford, Stanley, Egerton, &
FARNHAM . . . .	"	Brandon, Grey, Seymour, Boyle, Carrick, &
FERRERS . . . .	"	Brandon, Grey, Seymour, Sutton, Ward, &
FORESTER . . . .	"	Brandon, Grey, Seymour, Rutland, &
FORTESCUE (2 Descents) . .	"	Brandon, Grey, Seymour, Wyndham, Grenville, &
	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, Harrowby, &
GALLOWAY . . . .	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, &
GRANARD . . . .	"	Brandon, Clifford, Stanley, Hastings, Rawdon, &
GRANVILLE (3 Descents) . .	"	Brandon, Grey, Seymour, Boyle, Devonshire, &
	"	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, Devonshire, &
	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, &
HAMILTON (2 Descents) . .	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Huntley, Beckford, &
HAREWOOD (2 Descents) . .	"	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Bath, &
	"	Brandon, Clifford, Stanley, Egerton, Boyle, Byng, Bath, &
HARROWBY . . . .	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, &
HASTINGS . . . .	"	Brandon, Clifford, Stanley, Hastings, and Rawdon.
HOME (2 Descents) . . . .	"	Brandon, Grey, Seymour, Boyle, Queensberry, Buccleuch, &
	"	Brandon, Grey, Seymour, Bruce, Brudenell, Buccleuch
HOWE . . . . .	"	Brandon, Clifford, Stanley, Egerton, St. John, Bennet, Hartopp, &
HUNTLY . . . . .	"	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
JERSEY . . . . . R.A.	"	Brandon, Clifford, Stanley, Egerton, &
KEITH AND NAIRNE . R.A.	"	Brandon, Clifford, Stanley, Athol, and Nairne.
LEIGH . . . . .	"	Brandon, Grey, Seymour, Bruce, Brydges, &
LONDESBOROUGH . . . .	"	Brandon, Grey, Seymour, Rutland, Forester, &
LOVELACE . . . . .	"	Brandon, Grey, Seymour, Wyndham, Grenville, Fortescue, &
LYTTLETON . . . . .	"	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, &
MALMESBURY . . . . .	"	Brandon, Clifford, Stanley, Egerton, Exeter, Shaftesbury, &
MANCHESTER . . . . .	"	Brandon, Clifford, Stanley, Athol, Aberdeen, Gordon, &

MARLBOROUGH (2 Descents)	<i>Through</i>	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
	„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Marlborough, Galloway, &
MOUNTGARRET . . . .	„	Brandon, Grey, Seymour, Boyle, Carrick, &
NORFOLK . . . .	„	Brandon, Clifford, Stanley, Egerton, Sutherland, &
NORTHUMBERLAND . R.A.	„	Brandon, Grey, Seymour, &
(2 Descents)	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Seymour, &
NORTHWICK . . . .	„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
ORMONDE . . . .	„	Brandon, Grey, Seymour, Aylesford, Dartmouth, Paget, &
PETRE . . . .	„	Brandon, Grey, Seymour, Boyle, Bedingfield, &
POMFRET . . . .	„	Brandon, Grey, Seymour, Gerrard, Lake, Borough, &
PORTLAND . . . .	„	Brandon, Grey, Seymour, Boyle, Devonshire, &
PORTSMOUTH (2 Descents) .	„	Brandon, Clifford, Stanley, Egerton, Herbert of Cherbury, Herbert (Powis), Fellowes, &
	„	Brandon, Grey, Seymour, Wyndham, Grenville, Fortescue, &
POWIS . . . .	„	Brandon, Clifford, Stanley, Egerton, Herbert of Cherbury, Herbert (Powis), and Clive.
RICHMOND (2 Descents) .	„	Brandon, Clifford, Stanley, Athol, Aberdeen, Gordon, &
	„	Brandon, Clifford, Stanley, Jersey, Anglesey, &
ROMNEY . . . .	„	Brandon, Grey, Seymour, Wyndham, &
RUSSELL . . . .	„	Brandon, Clifford, Stanley, Egerton, Exeter, Boyle, Byng, Bedford, &
RUTLAND (2 Descents) .	„	Brandon, Grey, Seymour, &
	„	Brandon, Clifford, Stanley, Egerton, Stafford, Carlisle, &
ST. GERMAIN'S . . . .	„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, &
SHAFTESBURY . . . .	„	Brandon, Clifford, Stanley, Egerton, Exeter, &
SHANNON . . . .	„	Brandon, Grey, Seymour, and Boyle.
SLIGO . . . .	„	Brandon, Clifford, Stanley, Egerton, St. John, Bennet, Hartopp, Howe, &
SOMERSET . . . .	„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Hamilton, &
SPENCER . . . .	„	Brandon, Grey, Seymour, Winchelsea, Thynne, Worsley, Carteret, &
STAMFORD . . . .	„	Brandon, Grey, Seymour, Sutton, Ward, &
STRATHALLAN (3 Descents).	„	Brandon, Clifford, Stanley, Athol, Nairne, &
	„	Brandon, Clifford, Stanley, Athol, &
	„	Brandon, Clifford, Stanley, Athol, &

SUTHERLAND (4 Descents) .	Through	Brandon, Clifford, Stanley, Egerton, &
	„	Brandon, Clifford, Stanley, Egerton, Carlisle, &
	„	Brandon, Grey, Seymour, Boyle, Devonshire, Carlisle, &
	„	Brandon, Grey, 'Seymour, Winchelsea, Thynne, Worsley, Carteret, Spencer, Devonshire, Carlisle, &
SYDNEY . . . . .	„	Brandon, Grey, Seymour, Bruce, Brudenell, Powis, &
TEMPLEMORE (2 Descents) .	„	Brandon, Clifford, Stanley, Egerton, Jersey, Paget, &
	„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, &
WENLOCK . . . . .	„	Brandon, Grey, Seymour, Wyndham, Grenville, Braybrooke, &
WENTWORTH . . . . .	„	Brandon, Grey, Seymour, Wyndham, Grenville, Fortescue, Lovelace, &
WHARNCLIFFE . . . . .	„	Brandon, Clifford, Stanley, Athol, Dunmore, Dundonald, Galloway, Stafford, Harrowby, &
WROTTESLEY . . . . .	„	Brandon, Grey, Seymour, Sutton, Ward, Grey, &
YARBOROUGH . . . . .	„	Brandon, Clifford, Stanley, Egerton, Exeter, Boyle, Worsley, Bridgman-Simpson, &

## HENRY MAXWELL, LORD FARNHAM, K.P.

In our *Heraldic Chronicle* for 1868 (at vol. v. p. 563) we recorded the death of Henry Maxwell, seventh Lord Farnham, K.P., who, together with his amiable lady and four of their servants, were among the many victims of the awful railway accident which occurred at Abergele on the 20 Aug. 1868. Lord Farnham was born Aug. 9, 1799, the eldest son of the Rev. Henry Maxwell, sixth Baron Farnham, by Lady Anne Butler, eldest daughter of Henry-Thomas second Earl of Carrick. He completed his education at Trinity College, Dublin, where he graduated in honours in 1823. He subsequently sat in the House of Commons as member for the co. Cavan, from 1824 to 1838, and gained a fair position as a debater. He succeeded to the peerage Oct. 19, 1838, and was elected one of the Representative Peers of Ireland in 1839. During the Vice-Royalty of Lord Heytesbury he was in 1865 nominated a Knight of St. Patrick, being the first of less rank than an Earl honoured with the ribbon of the National Order.<sup>1</sup> He had

<sup>1</sup> His Lordship's last appearance in public was at the Installation of H.R.H. the Prince of Wales as a Knight of St. Patrick in Patrick's Cathedral, and it is a remark-

shortly before rendered an important service to the Government in preventing a threatened conflict between two large assemblages of Protestants and Roman Catholics at Killeshandra in the county Cavan. His influence in the county was at once considerable and legitimate, for a better, more liberal, or a kinder-hearted landlord never existed. Lady Farnham (who was a daughter of Thomas 22nd Lord le Despenser) was alike useful and unwearied in her efforts to do good, and alike elegant and intelligent in her own sphere.

We have extracted these particulars chiefly from an article in *The Illustrated London News* of the 29th Aug. 1870, which we have good reason to attribute to the pen of Ulster King of Arms, for it contains these further observations, that " Lord Farnham devoted himself with much ability and research to historical and genealogical literature, and formed at his beautiful residence of Farnham the best heraldic and genealogical library in Ireland, full of valuable MSS. and various collections made by himself. He was the intimate and attached friend of Sir Bernard Burke, whose genealogical works derived no little benefit from the noble Lord's counsel and co-operation."

Another friend of Lord Farnham, Mr. Alexander Sinclair of Edinburgh, the able genealogist (son of the Right Hon. Sir John Sinclair, Bart., and brother of Catherine Sinclair, the authoress), has written and circulated privately a biographical sketch, with a copy of which we have been favoured, and from which we extract the following passages:

" Lord Farnham was a true Irish patriot, keen and active in all that he thought was for his country's good, and devoted to its true happiness. He was distinguished in appearance notwithstanding a little lameness, earnest in his tone, keen for what he saw to be right, and determined in pursuing a good purpose. He was a warm and zealous friend, and a capital and punctual correspondent. He had an admirable judgment, and no estates were better managed; but he relied on three picked Scotch servants. He officiated daily at the chapel. The house and household were models, the garden luxuriant, the park and lakes beautiful, the trees splendid. Sir Robert Peel said they were the finest he had seen in Ireland.

" Lord Farnham was a pre-eminent herald and genealogist. His library extended over four rooms; many of the shelves had double rows; and there was no reference, after himself, except to one house-

able and melancholy fact that Lord Farnham's Star of that order was almost the only article found intact near his charred and disfigured remains, in the wreck at Abergele.

maid, to find any that were behind. He had a wonderful memory, both for these subjects and for all other literature, with a great taste for poetry and humour.

\* \* \* \* \*

"He kept annually a list of the Peers who had died within the year, with their respective united and average ages. Lord Downshire was the last he recorded, with a lament on the loss of his usefulness. He little thought how soon he was to follow. He had found that the first ten Peers who died this year were all 70 or above. Others younger have since died. He himself was only 69, an age far too early for the termination of so precious a life."

Lord Farnham had made a will, many years before his death, leaving everything to his wife; but, as Lady Farnham perished with him, the will was inoperative. Consequently, his personalty was divided between his brothers and sisters, and his landed estates, by far the largest in the county of Cavan, devolved on his brother the present Peer.

The library, which has been twice mentioned in the preceding passages, is now lost to Ireland. It was brought to London, and dispersed by auction by Messrs. Sotheby, Wilkinson, and Hodge, in nine days' sale, June 28—July 7, 1869. The whole collection produced 2,168*l.* 7*s.* 6*d.*; the heraldic books, which being brought together occupied the two latter days of the sale, realizing 476*l.* 1*s.* 6*d.* Their prices were generally low, for which the time of year may partly account. Some few of the more remarkable articles may be specified.

T. C. Banks, Dormant and Extinct Baronage of England, 4 vols. 1807-37, with MS. corrections, additions, and historical illustrations by A. Sinclair and Henry Lord Farnham. 4*l.* 12*s.*

R. de C. Bateman's Collections for a History of the Bateman Family, autograph manuscript, 13*s.*

Méthode abrégée et facile pour apprendre le Blason, à l'usage de Son Altesse Sme. Monseigneur l'Archiduc Charles. 2 vols. MS. with illustrations drawn in pen and ink, bound in old morocco, gilt edges, with the Archduke's arms on the sides. (Sæc. xviii.) 2*l.* 8*s.* (Pickering.)

Sir J. B. Burke's Visitation of the Arms and Seats of the Noblemen and Gentlemen of Great Britain—the printed formula returned filled with MS. observations in the autographs of the owners. 4*l.* (Burke.)

Sir J. B. Burke's Vicissitudes of Families, Three Series: the Correspondence respecting that work, including autograph letters from some of the principal nobility, literary celebrities, &c. with printed reviews, &c. (*Withdrawn.*)

J. F. van Bassen, Theatre of Europe, wherein is contained the XVI. Ancestors of every particular Family, of Emperour, King, Prince, Duke, and other great Person of Quality in Europe. The autograph MS. dedicated to H.R.H. Anna Princesse of Denmark. 1684. 2*l.* 10*s.* (Newman.)

Sieur de Challudet, Arms of the Emperor Charles V., Francis I. and of other Royal and Noble Families. Autograph MS. with 158 coloured coats of arms. 1635. 1l. 19s.

Edw. Jones, Pedigrees of the Cefndeuuddwr and Gwynfryn and Bodychan Families : autograph MS. with arms in colours, 1l. 2s.

Descents of the Earls of Kildare and their Wives, privately printed 1866, with MS. corrections by Lord Farnham, 2l. 6s.

Genealogical Deduction of the Familie of Kilravock, its Marriages, Affinities, and Cadets, with a short Sommaire of Some Observables Scottish and Forreign, deduced according to the Series of Time. MS. sæc. xviii. 1l. 16s. (White.)

Irish Pedigrees, with numerous coats of arms finely emblazoned, a MS. sæc. xix. 22 inches by 18, containing genealogies of the families of Waddy, Stoney, Warren, Robinson, Chamney, de Joinville, Badlesmere, Tibetot, Briwere, Champaine, Lacy, Daundelyn, Tyllyng, Macmurrough, Lespinasse, Cusack, &c. 4l. 12s. (White.)

A Genealogical History of the Ancestry of the Most Noble Francis Godolphin D'Arcy D'Arcy-Osborne Duke of Leeds, MS. with arms exquisitely painted. 2l. 14s.

W. Lynch. Extracts from Irish Funeral Entries.<sup>1</sup> MS. sæc. xix. 6l. 6s. (Boone, we will hope for British Museum.)

W. Partridge (Heraldic Painter). Collection of Armorial Bearings, with some account of the Persons or Families to whom they appertain, derived from various sources, drawn in pen and ink, 1827. 2l. 13s.

The printed copies of Visitations were sold as follows : that of Durham in 1615, of which only 30 copies were printed at Sunderland in 1820, for 4l.; the Durham Visitation of 1575, (Newcastle 1820) with arms emblazoned, 1l. 17s.; the Middlesex Visitation of 1663, printed at Salisbury in 1820, 12s.

We will now proceed to describe Lord Farnham's own printed works, none of which were published, but which are unnoticed in Martin's Catalogue of Privately Printed Books, second edit. 1854.

In the library of the British Museum is an 8vo. volume (now marked 9904 dd) which contains five of Lord Farnham's tracts, bound together by the late William Courthope, Somerset Herald; at the head of each of which is written, "Wm Courthope, Esq., with Lord Farnham's Compts.

1. Seize Quartiers connected with the Royal Descents of Henry Maxwell, K.P. seventh Lord Farnham [with the dates of the Marriages &c. added in MS. in Lord Farnham's autograph.] Cavan: William Johnston, Printer, Bookseller and Stationer. 1850.

It consists of Titlepage, two pages of Contents, and 85 Seize Quartiers, each printed on one side of the leaf only; also a slip of Errata.

2. Royal Descents of Henry Maxwell, K.P. seventh Lord Farnham, for Henry III., Edward I., and the subsequent Kings of England, etc. etc., and from Robert Bruce,

<sup>1</sup> The "Funeral Entries" in Ulster's Office at Dublin form a series of fourteen volumes. For examples, see those of the Temple Family, printed in our vol. iii. p. 404.

King of Scotland; to which are added Descents from a few other Distinguished Personages. Cavan: William Johnston, Printer, Bookseller, and Stationer. 1850.

This has many MS. erasures and corrections. It consisted originally of pp. 26 and slip of Errata; additional leaf 27, 28, "Additional Descents;" another, "Descents from Distinguished Personages" paged with the pen, 29, 30; and a concluding page of which we append a copy—

#### Summary of Descents.

(From a reprint, fastened over a former list.)

From HENRY III.	Through Edmond (Crouchback) Earl of Lancaster	132	
	the Princess Beatrice, Princess of Brittany	11	
From EDWARD I.	Through his 1st Wife Eleanor of Castile:—		
	Princess Joan, Countess of Gloucester	122	} 204
	Princess Elizabeth Countess of Hereford	83	
	his 2d Wife Margaret of France:—		
	Thomas of Brotherton Earl of Norfolk	32	} 60
	Edmond of Woodstock Earl of Kent	28	
From EDWARD III.	Lionel of Antwerp, K.G. Duke of Clarence		13
	John of Gaunt, K.G. Duke of Lancaster:—		
	Through { the Heiress of Lancaster	2	} 58
	Catharine Roet	48	
	Thomas of Woodstock, K.G. Duke of Gloucester		11
From EDWARD IV.			1
From HENRY VII.			1
From ROBERT I. Bruce King of Scotland			2
			Total 490

#### *Descents from Distinguished Personages.*

Founder's kin to Archbishop Chichely		2
William of Wykeham		1
From Henry Lord Percy, K.G. (Hotspur)		10
Richard Neville, K.G. Earl of Warwick ("the King Maker")		1
George Plantagenet, Duke of Clarence		3
Lady Mary Boleyn, Sister of Queen Anna		1
Lady Catharine Grey, sister of Lady Jane Grey		1
Edward Seymour, K.G. Duke of Somerset, "Protector of England"		1
Henry Howard, K.G. Earl of Surrey, and his son Thomas (4th Duke of Norfolk), K.G.		1
Charles Howard, K.G. Lord Howard of Effingham, Earl of Nottingham		1
William Cecil, K.G. Lord Burleigh [ <i>l.</i> Burghley]		1
Sir Francis Walsingham, K.G.		1
Robert Devereux, K.G. 2nd Earl of Essex		1

#### 3. Four leaves (printed on one side) of Seize Quartiers.

Seize Quartiers of Henry Maxwell, 7th Lord Farnham, K.P.

Descent of Henry Maxwell, 6th Lord Farnham.

Descent of Lady Ann Butler, wife of ———

Descent of Henry Thomas Butler, 2nd Earl of Carrick.

4. Royal Descents from Henry the Third, and the subsequent Kings of England; and of Lady Amelia Sophia Stanley, Marchioness of Athol. Cavan: William Johnston, Printer, Bookseller and Stationer. 1850. 8pp. including title; the last being the Seize Quartiers of the Marchioness (who was daughter of James Stanley, K.G. 7th Earl of Derby, beheaded 1651, by the Lady Charlotte de la Tremouille, daughter of Claude Duc de Thouars,); and the seventh the following

## Summary of Descents.

	De la Tremouille.	Stanley.
Henry III. Through Princess Beatrice, Princess of Brittany	14	4
——— Edmond (Crouchbank) Earl of Lancaster		24
——— Princess Joan Countess of Gloucester		12
——— Princess Elizabeth Countess of Hereford		6
——— Princess Eleanore, Countess of Mar	1	0
——— Thomas of Brotherton, Earl of Norfolk		4
——— Edmond of Woodstock, Earl of Kent		6
Edward III. Through Lionel of Antwerp, Duke of Clarence		4
——— John of Gaunt, Duke of Lancaster (through the heiress of Lancaster)		1
——— (through Catharine Roet)		11
Edmond of Langley, Duke of York		1
Thomas of Woodstock, Duke of Gloucester		1
Edward IV.		1
	15	76

N.B.—Such of the Descendants of Lady Amelia Sophia Stanley Marchioness of Athol as are also descendants from King James II. of Scotland, have, in addition to the above, the following Descents from Henry III. Edward I. and Edward III. Kings of Scotland.

- HENRY III. Princess Beatrice (Princess of Brittany) Bretagne, Artois, Evreux, Brabant, Flanders, Bourgogne, Cleves, and Gueldres.  
 ——— Edmond Earl of Lancaster, Fitzalan, Holand, Beaufort, James I. of Scotland, and James II.  
 Edward I. Edmond of Woodstock, Holand, Beaufort, James I. of Scotland, and James II.  
 Edward III. John of Gaunt (through Catharine Roet) Beaufort, James I. of Scotland, and James II.

5. Descents of the Peers of Great Britain and Ireland from King Henry the Seventh. July 1850. pp. 4.

6. Royal Descents of the Peers of Great Britain and Ireland, who are derived from King Henry the Seventh, compiled for and contributed to this work by Henry Maxwell, Lord Farnham, K.P. January 1855. 4 pp.

Both the preceding are earlier editions of the same catalogue which we have printed *ante* (pp. 631—637) from a later edition printed on a foolscap sheet in February 1860 and corrected in MS. in 1863. No. 6. (dated January 1855) was published in *Royal Descents and Pedigrees of Founder's Kin*. By Sir BERNARD BURKE, Ulster King of Arms. 1855. Royal 8vo.

The next is a volume of considerably larger size, of which there is a copy in the library of the British Museum.

Farnham Descents from Henry III. and the Subsequent Kings of England. In III. Parts. (Large Quarto). Cavan: Thomas J. Smyth, Printer and Stationer. 1860.

Part I. Paternal Descent. 9 pages (printed on one side).

Part II. Maternal Descent. 42 pages.

Part III. Lady Farnham's Descent, 13 pages.

And another page of which the following is a copy:—

Henry, 7th Lord Farnham, K.P. derives, in a direct line, from the great and ancient Scottish House of Maxwell of Caerlaverock and Calderwood; and descends, through male and female ancestry, from some of the most illustrious families in the Empire. He is 12th in Descent from King Henry VII. and counts among his ancestors the following historic names:

Alfred the Great King of England.

William the Conqueror, King of England.

The Cid.

Brian Boroimhe, King of Ireland.

Dermot MacMurrough, Prince of Leinster.

Richard de Clare, Earl of Pembroke (Strongbow), paternally and maternally, through all his five grand-daughters the coheirs of Marshal.

William Marshal the Great Earl of Pembroke.

Simon de Montfort, Earl of Leicester.

Louis IX. King of France (St. Louis).

Robert Bruce, King of Scotland.

William of Wykeham, Bishop of Winchester (of kin to).

Henry Lord Percy, K.G. (Hotspur).

John Talbot, K.G., the Great Earl of Shrewsbury.

Owen Tudor.

Richard Neville, K.G., Earl of Warwick (the King Maker).

Henry Chichele, Archbishop of Canterbury (of kin to).

Henry Howard, K.G., Earl of Surrey (the Hero of Flodden).

Edward Seymour, K.G., Duke of Somerset (the Lord Protector).

Charles Howard, K.G., Lord Howard of Effingham and Earl of Nottingham (the Conqueror of the Spanish Armada).

Sir Francis Knollys, K.G.

Sir Francis Walsingham, K.G., Secretary of State.

Robert Devereux, K.G., Earl of Essex, Queen Elizabeth's unfortunate favourite.

Richard Boyle, the 1st and Great Earl of Cork.

Robert Boyle the Great Earl of Orrery.

Lastly, we give a copy of his Lordship's own printed list of

#### GENEALOGICAL WORKS

DRAWN UP BY HENRY 7TH LORD FARNHAM, K.P.

FARNHAM (LORD), Royal Descent of, from Henry VII. King of England. Fol. (Printed.)

——— from Edward III. King of England, through 1st, Lionel of Antwerp, Duke of Clarence—2nd, John of Gaunt, Duke of Lancaster, (through 1st, the heiress

of Lancaster; 2nd, Catharine Roet)—3rd, Edmond of Langley, Duke of York—and 4th, Thomas of Woodstock, Duke of Gloucester; distinguishing in red characters the Descent through Kings Edward IV. and Henry VII.; compiled from authentic Records. Long Fol.

——— from Edward I. King of England, (through BOTH his Queens,) compiled from authentic sources. Long Fol.

——— from Henry III. King of England, (through three of his children—1st, King Edward I.; 2nd, Edmond, surnamed Crouchback, Earl of Lancaster; and 3rd, the Princess Beatrice Plantagenet, Princess of Brittany,) including numerous Plantagenet Descents, and those through Edward IV. and Henry VII. Kings of England; James I. King of Scotland; Charles V. and VI. Kings of France;—through the issue of BOTH the Queens of King Edward I. and ALL THE FOUR SONS of King Edward III. who left issue; showing also the common Descents from Beatrice Princess of Brittany, of King Henry VII. and of his Queen (the Princess Elizabeth Plantagenet of York); and also the combined Descent of three of the daughters of Richard Widvile, K.G. Earl of Rivers; including that from Lady Elizabeth Widvile, through both her husbands, (1st, Sir John Grey, 7th Lord Ferrers de Groby; and 2nd, King Edward IV.)—The whole embodying a numerous selection of Descents from Families the most distinguished in English History, as well as the most noble and the most celebrated in the annals of English and Irish Chivalry—derived from official Records and the most authentic sources, and carefully compiled and drawn up. Fol. (*Printed.*)

——— from Henry III. King of England; illustrated with the Seize Quartiers of distinguished persons included in the Descents. 2 Vols. 4to.

——— from Henry III. Edward I. and the subsequent Kings of England, &c. &c. and from Robert Bruce King of Scotland; to which are added Descents from a few other distinguished personages. 8vo.

——— from Henry II. King of England, through three of his children, (1st, King John; 2nd, the Princess Eleanor, Queen of Castile; and 3rd, the Princess Maud, Duchess of Saxony and Bavaria,) including (besides numerous Royal, Noble, and Illustrious Descents in England, Scotland, and Ireland) those through the Kings of Castile and Leon; the Kings of Portugal; the Kings of Sicily; and the Kings of France, of the Capetian and Valesian Dynasties: the whole showing a curious combination of Descents. Compiled from the most authentic sources and arranged with the greatest care. Long Fol.

FARNHAM (LORD), Royal Descents of, from Henry II. King of England; forming an Introduction to the Royal Descents from Henry III. 4to.

Seize Quartiers, (92, all complete,) connected with the Royal Descents of Lord Farnham. 8vo. (*Printed.*)

His Royal Descent (double) from Robert Bruce, King of Scotland. 4to.

——— (through the Howards, Dukes of Norfolk); (showing the Double Descent, through *seven* successive Knights of the Garter, in the *first* line; and through *four* successive Knights of the Garter, in the *second* line). 4to.

His paternal Royal Descent from Henry III. King of England. Fol. (*Printed.*)

The Royal Descents from Henry III. King of England, of Sir Thomas Stapleton, Bart. twenty-second Lord le Despencer. 4to.

Royal Descents of Anna Frances Hesther, Baroness Farnham, from Edward III. King of England, through ALL HIS FOUR sons who left issue. Fol. (*Printed.*)

Descents of the Peers of Great Britain and Ireland, from Henry VII. King of England; drawn out and completed. Long Fol.

Alphabetical List of all the Peers of Great Britain and Ireland who are descended from Henry VII. King of England, showing the several families through which each Descent is derived. 8vo. (*Reprinted in the preceding pages.*)

Royal Descents from Henry III. Edward I. III. and IV. and Henry VII. Kings of England, of Lady Amelia Sophia Stanley, Marchioness of Athol, with her Seize Quartiers. 8vo.

Royal Descents from Henry III. and subsequent Kings of England, of the Landed Proprietors of the County of Cavan and their wives. 4to.

Royal Descents of the Peers of Great Britain and Ireland, from Henry III. and the subsequent Kings of England, and from Robert Bruce and the subsequent Kings of Scotland.

Seize Quartiers of the Sovereigns of England and of their Consorts; from the Conquest to the present time. Fol.

Seize Quartiers of the present Reigning Sovereigns of Europe. Fol.

The 256 Quartiers (complete) of Queen Victoria. Long Fol.

The 256 Quartiers (*one only wanting*) of Albert, Prince Consort of England. Long Fol.

The *female* Descents of Queen Victoria. Fol.

The female Descents of Albert, Prince Consort of England. Fol.

Table, showing how George William Frederick, 7th Earl of Carlisle, K.G. is related to several Peers connected with Ireland. Long Fol.

Table of the Descendants of James I. King of England and VI. of Scotland, through the four available channels: 1st, Charles I. King of England; 2nd, Charles Louis, Elector Palatine; 3rd, Edward, Palatine of Simmern; and 4th, the Electress Sophia of Hanover. Long Fol.

Genealogical Collections, original and selected, (1st Series), 10 Vols. Fol.

———— (2nd Series), Vols. Fol.

Catalogue of Books on Heraldry, Genealogy, and Family History, in the Library at Farnham, Cavan. 4to.

We are glad to be able to add that the administrators of the estate of the deceased, at a meeting held shortly after his death, decided that they would be best carrying out his wishes by presenting these FARNHAM MSS. to his friend Sir Bernard Burke. This was done. The collection forms a series of about fifty volumes of pedigrees, letters, and genealogical memoranda, to which Sir Bernard has made an Index.

## MAINWARING OF MARTINSAND, CO. CHESTER, AND AFTERWARDS OF GOLTHO, CO. LINCOLN.

Mr. Ormerod, in his *History of Cheshire*, vol. ii. p. 96, winds up with unsatisfactory abruptness his imperfect pedigree of that branch of the Mainwarings, who were long the owners of Merton Grange *alias* Martinsand, in the parish of Whitegate. His account of the two last generations is meagre in the extreme, and he evidently knew very little about the Vendor of Merton, for he neither mentions the dates of his career, the family of his wife, nor the fate of his descendants. This is the more remarkable, because the sale of the Merton estate was neither the cause nor the consequence of social decadence. The Vendor, Colonel Charles Mainwaring, was a military officer of high distinction, and his wife Elizabeth Grantham was the heiress of large estates in Lincolnshire, which were enjoyed by their descendants until 1850, when the male line became extinct on the death of their great-grandson. The following pedigree must be taken as a supplement to Ormerod's account of the family, for it begins at the point where Ormerod breaks off, and traces the descent down to the extinction of the male line. I have appended two monumental inscriptions from the church of St. Martin at Lincoln, which clearly identify Charles Mainwaring the husband of Elizabeth Grantham with the Vendor of Merton. It will be observed, that the elder Thomas Mainwaring of Goltho married Anne Quincy, and that Mr. Chaplin the present M.P. for Mid Lincolnshire is descended from this marriage: by a curious coincidence, his colleague Mr. Amcotts, M.P., is the representative of Mrs. Mainwaring's sister Elizabeth Quincy, who married in 1720 Vincent Amcotts, esq. of Harrington and Astrop.

EDMOND CHESTER WATERS.

### *Monumental Inscriptions at St. Martin's in the city of Lincoln.*

ELIZABETH MAINWARING, late wife of Lt.-Col. Charles Mainwaring of Martinsand in Cheshire, dau. and heiress to Francis Grantham of Black Monks, near the city of Lincoln, esq. She died 5 Oct. 1692, in her 35th year.

THOMAS MAINWARING, of Lincoln, esq. eldest son of Lt.-Col. Charles Mainwaring of Martinsand in Cheshire, of the Peever family, and Elizabeth his wife and heiress and granddau. of Sir Thomas Grantham, of Goltho, co. Lincoln. He was born in 1683 and died 5 Dec. 1734, aged 51 years 6 months.

Peter Mainwaring, esq. of Merton Grange, alias Martinsand, in the parish of Whitegate, Cheshire. (*Ormerod*, ii. 96.)

Mary Goch, bur. 6 Nov. 1671.

Thomas, Charles Mainwaring, esq. of Merton Grange, Elizabeth, dau. and heir of Francis Grantham, esq. of Black Monks, near Lincoln, granddau. and heir of Sir Tho. Grantham, Knt. of Goltho, co. Lincoln; died 5 Oct. 1692, aged 34. (M. I. at St. Martin's Lincoln.)  
 died coln. Sold the Merton estate after 1685. Lieut.-Col. in the army, and a Brigadier in Churchill's regiment; served with distinction in Flanders. Died of apoplexy 20 Feb. 1693-4. (*Luttrell's Diary*.)

Thomas Mainwaring, esq. of the Palace in the city of Lincoln and of Goltho, son and heir, bapt. at Whitegate 9 July, 1683, died 5 Dec. 1734, aged 51, bur. at St. Martin's Lincoln 9 Dec. "Squire Manerin." (Par. Reg.) M. I. at St. Martin's.  
 Anne, eldest dau. and coh. of John Quincy, esq. of Aslackby, co. Linc. by Anne dau. of John Toller, esq. of Billingham Hall; died 9 Aug. 1730, aged 40, bur. at St. Martin's Lincoln 12 Aug. 1730. "Madam Manering." (Par. Reg.) M. I. at St. Martin's.  
 Charles, Arabella, bpt. 27 bapt. 21 Nov. Aug. 1681, 1684, at at Whitegate. Frances, bpt. 25 July, 1685, at Whitegate.

Anne, Thomas Mainwaring, esq. of the Palace, Lincoln, and of Goltho, son and heir; born 21 Oct. 1724, bapt. 23 Oct. 1724, at St. Peter's, Eastgate, Lincoln; died 178..  
 Eleanor, da. of William Richard Fenton, esq. of the Glasshouse, near Leeds; died at Coleby Hall, near Lincoln, 14 July, 1841, aged 96.  
 Mary, bpt. 24 Sept. 1723, at St. Peter's Lincoln; died 10 June, 1748. M. I. at St. Martin's.  
 Elizabeth, m. 4 Nov. 1759, at St. Mary Magdalen, Lincoln.  
 Robert Taylor, esq. M.D. of Berkeley Sq. Physician to the King; d. 15 May, 1762.

Thomas, Charles Mainwaring, of the Palace, Lincoln, and afterwards of Coleby Hall, near Lincoln, esq. son and heir; bapt. at St. Margaret's, Lincoln, 10 Aug. 1777, d. unm. at Coleby 19 July, 1850.  
 Anne, bapt. 29 Nov. 1769,<sup>1</sup> m. 15 Dec. 1794, Benj. Burton, esq. of Burton Hall, Carlrow; d. his widow at the Palace, Lincoln, 18 Nov. 1836.  
 Maria, bapt. 2 April, 1771, at St. Margaret's, Linc. mar. 6 Feb. 1794, at Linc.  
 John Lee, esq. of the Abbey, Knaresborough. George Langton, esq. of Langton Hall, co. Lincoln.  
 Elizabeth, bpt. 16 April, 1773,<sup>2</sup> m. 3 March, 1794, George Langton, esq. of Langton Hall, co. Lincoln.  
 Elizabeth Taylor, only dau. and heir, married Charles Chaplin, esq. of Blankney, M.P. for co. Lincoln.

Charles Benjamin Lee, surviving son and heir, assumed the name and arms of MAINWARING in 1859 by royal licence.

<sup>1</sup> At St. Martin's, Lincoln.

<sup>2</sup> At St. Margaret's, Lincoln.

## FAMILY OF GRAVES.

To the Editor of THE HERALD AND GENEALOGIST.

Sir,—It has often been a subject of surprise to me that so little should be known as to the antecedents of that branch of the Graves family which settled in Ireland. The work of Dean Graves on the *Pentateuch* is one of established reputation, and the position which the present Bishop of Limerick (the Dean's great-nephew) has attained is more than respectable; but I have had the greatest difficulty in collecting even the few following facts with reference to the lineage of these divines. I shall be much obliged if you will allow me to publish them and thus to invite corrections and additions.

The tradition of the family is that it descends from a certain Colonel

Colonel Richard Graves, living 1647.

Richard Graves, of Limerick, = Jane, dau. and coheir of Henry Meggs,  
sheriff of Limerick 1738. by dau. of Nicholas Purdon.

Henry Meggs Graves, James Graves, = Jane, dau. of Rev. Thomas  
Vicar of Glankeen, in Holy Orders. Ryder, Rector of Kilfinan,  
living 1780. co. Lim.

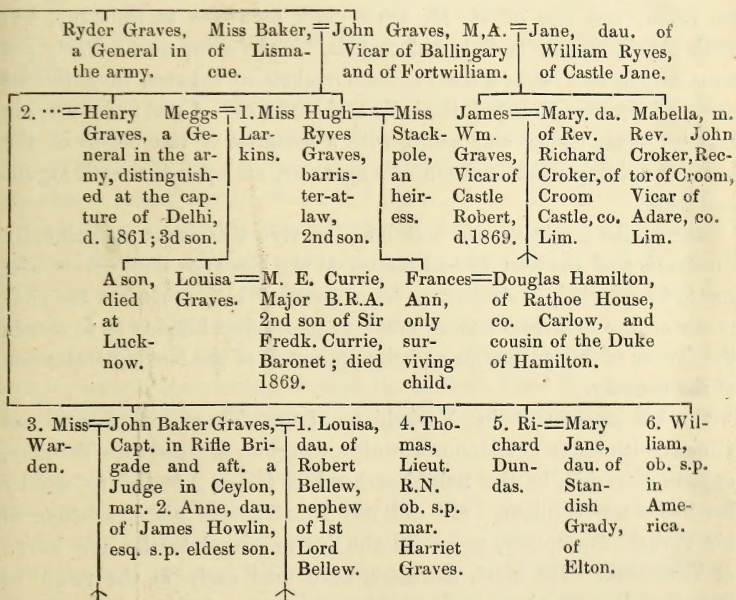
Richard Graves, D.D. Dean of = Eliza, dau. of Rev. James Thos. Graves, D.D. =  
Ardagh, Regius Prof. of Divinity Drought, D.D. Fellow of Dean of Ardferntand  
at Dublin; bo. 1763, died 1829. T. C. D. Connor.

Richard. Hercules, A dau. mar. Rev. Richard Robert James = Helena,  
died at Macdonell, D.D. Provost James Graves, Crobie dau. of  
Aix, of T. C. D. Graves, Graves. Rev.  
1817, Harriette, mar. Matthew M.D. Charles  
æt. 22. Brinkley, son of the died Perceval.  
Bishop of Cloyne. 1853.

John Thomas = Amelia, Rev. Robert Perceval Graves, m. Jas. P. = A dau. Charles = Selina,  
Graves, M.A. dau. of ceval Graves, of Tho- Graves, dau. of  
F.R.S. barrister- William Helen, dau. of mas D D. John  
at-law, poor law Tooke, G. H. Bellasis, Ord Bishop Cheyne,  
inspector; born esq. of Holly Lodge, Lees, of Li- M.D.  
1806, died 1870 F.R.S. Windermere. esq. merick.  
s.p.

Graves, a Cromwellian officer, who settled in Ireland, and we may perhaps identify him with Richard Graves or Greaves who commanded the cavalry under Sir Thomas Fairfax at the siege of Taunton in 1645 and at the storming of Bristol. He was present at the council of war held at Marston in June, 1646, and we find him in December of that year marching on Newcastle-on-Tyne. In the following year he kept the guard over the King at Holdenby, and fell into disgrace for permitting Cornet Joyce to have an interview with Charles. Anthony à Wood (*Fasti*, ii. 139) adds that though faultless he "got happily out of the reach" of the Puritan party, and possibly he escaped to Ireland and lived there in retirement. Of the date and place of his death I am wholly ignorant, nor have I been able to ascertain the names of his parents or children. The earlier part of the following pedigree is quite conjectural.

C. J. R.



## THOMPSON OF ESHOLT.

*To the Editor of THE HERALD AND GENEALOGIST.*

DEAR SIR,—Early in the sixteenth century an engineer of some distinction was living in this country, named Henry Thompson. A grant had been made to him by Henry VIII. of the Maison Dieu at Dover, at which place he constructed the pier, showing great skill in the undertaking. He served at the siege of Boulogne as a gentleman-at-arms under Henry, and he evidently obtained the favour of that monarch; as it is recorded that he was recommended to the authorities of Yarmouth by the Duke of Norfolk and others of the Privy Council as a man properly qualified to direct in the formation of a new haven adjoining that borough. (See *History of Yarmouth* 1776, p. 35.) In the reign of Edward VI. a grant was made to him of the buildings and land of the dissolved nunnery at Esholt, Yorkshire. Here he settled and probably remained till his decease. It appears that a grant of arms was made to him on his retirement from public life, as the Harleian MS. 1487, folio 310, thus testifies: "These armes and creast were graunted by Lawr. Dalton Norroy unto Henry Thomson of Eshold, in co. Ebor., and one of K. H. 8th's gent. at armes at Boleigne, kt., 15th April, 1559, and 1 and 2 Eliz." The arms were: Party per fesse argent and sable, a fesse counter-embattled between three falcons close, all counter-changed, the bells and beaks or. Crest: An arm, in armour, quarterly or and azure, with a gauntlet of the colour of the harness, holding the truncheon of a spear or, set upon a wreath argent and sable.

The soldier-engineer did not long survive this grant, so pointedly illustrative of the part he had played at the siege of Boulogne. The motto he selected, "*Je veux de bonne guerre*," also evidences the character of the man who had so much distinguished himself as to secure the favour of his sovereign and the approval of the leading statesmen of the country.

On his settlement in Yorkshire, Henry Thompson formed an alliance with Ellen or Eleanor Townley, daughter of Lawrence Townley, esq., of Barnside, in the neighbourhood of Colne, Lancashire, and by her had a son William. He did not long survive his acquisition of his Yorkshire property, as he did not live to complete the new haven at Yarmouth. He must, therefore, have died early in the reign of Elizabeth, his wife having deceased in the reign of Edward the Sixth,

a few years before. An incised slab of that date, in fact, once visible in the church at Colne, but some years since covered over during the progress of church restoration, records her memory. (See Whitaker's *Whalley*.)

William Thompson, the son of Henry and Ellen, born some time in the reign of Edward VI. (1547-1553), inherited extensive possessions in Yorkshire and Cumberland. Of him little is known. He married Dorothy, daughter of Christopher Anderton of Lostock, in the county of Lancaster (who is said to have been a prothonotary), and he died intestate in 1612, leaving two sons and several daughters. His wife outlived him, and must have been a person of advanced age when she died in 1635. In her will of that date, made at Coppul, Lancashire, she does not mention her sons; but she refers to her daughters Ellen Hancock and Elizabeth Swinglehurst, her granddaughters Mary Green and Mary Swinglehurst, her brother Anderton, her cousins Catherine Bradshaw and Dorothy Rockliffe, and her niece Langtree; and she appoints her kinsmen Richard Rockliffe and Lawrance Heaton of Bellinge her executors. The two sons of William and Dorothy Thompson were Christopher (born 1581) and Henry. To the former descended the manor of Esholt and the Cumberland property; but of the second son Henry the pedigree merely records the name. Whether he died with or without issue, or what became of him, the family tree tells nothing.

The eldest son Christopher married a daughter of James Thwaits, esq. of Marston, and became the father of a numerous family, his heir being Henry Thompson, esq. who married Mary, daughter of Walter Stanhope, esq. of Horsforth.

The representative of this gentleman was a daughter Frances, who became the wife of Walter Calverley, esq. of Calverley, and who took with her the family estates, which thenceforward passed into the hands of her descendants. The male representatives of the hero of Boulogne and the engineer of Dover and Yarmouth seem to have died out, or sunk into obscurity, though the present Lord Wenlock quarters his shield with that of Lawley in his armorial bearings, retaining also his crest and motto.

If any of your correspondents could throw any light upon Henry, the second son of William and Dorothy Thompson before mentioned, I should feel much obliged. His father dying intestate, he was probably landless, and fell under the care of his maternal grandfather, Christopher Anderton, esq.; but perhaps some one of your genealogical

correspondents may be enabled to inform me whom he married and who were his descendants. As his mother was a member of an old Lancashire family (Anderton), and her father took the practical guardianship of her children, it is just possible the younger grandson of the proprietor of Esholt found a home for himself and family in that county. I am, dear Sir, yours faithfully,

*Leicester, Sept. 19, 1870.*

JAMES THOMPSON.

### PEDIGREE OF MEREDITH OF THE CITY OF LONDON.

(Referred to in page 600 of this volume.)

From Harl. MS. 1096, fo. 19b, with Additions from Morant's History of Essex and Machyn's Diary.

Philip Meredith. — . . .

Robert Meredith, citizen and mercer of London, overseer of the will of his cousin Hugh Methwold, 1538; buried at St. Lawrence Jewry 9 Jan. 1547-8. — Jane, dau. of Sir William Lock, knt. alderman and mercer of London.

William Meredith, only son, citizen and mercer of London. Had licence 20th April, 1583, with his wife to sell their share of the manor of West Thurrock, Essex. s. p.	Martha, dau. of Robt. Long, citizen and mercer of London and lord of the manor of West Thurrock.	Mary, sister and coheir, was the chief mourner at the funeral of her grandmother Lady Lock on 5 Dec. 1551; married before 1551 Richard Springham, mercer, executor of Lady Lock 1554.	Elizabeth, sister and coheir, a mourner 5 Dec. 1551. Legatee in Wm. Methwold's will 1580; married before 1551 Matthew Field, mercer of London.	Ellen, coheir; a mourner and unmarried on 5 Dec. 1551; married Geoffrey Duckett, mercer of London.
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*St. Lawrence Jewry Parish Registers.*

1547-8, Jan. 9. Robert Meredith, buried.

1551-2, Jan. 17. Robert Longe, buried.

EDMOND CHESTER WATERS.

## THE LORDSHIP OF BALVENY.

A brief history of the descent of the LORDSHIP OF BALVENY may be worth adding, as so eventful. John Stewart, the first Earl of Athol, half-brother of King James II., got it by his first wife (in the manner related in p. 485), and did not let it go to her daughters, but to his son by the second wife, John second Earl in 1512. He was slain at Flodden in 1513. In 1595 the fifth Earl died embarrassed, leaving four daughters, one of whom married a remote cousin, James, the son of Lord Innermeath, in whom King James VI. renewed the Earldom, and who himself became second Earl. He bought up the other three sisters' shares, and sold the whole in 1610 to John Lord Salton, who in 1600 had interdicted himself to his mother, but got it set aside in 1605, and disposed of the estate in 1612 to Sir James Stewart, afterwards Lord Ochiltree. He had a confirmation charter from the Crown in 1613, and then transferred it in 1615 to Sir Robert Innes of Innermarkie. His grandson, another Sir Robert, sold it in 1661 to Colonel Sutherland of Kinminity; then Alexander Lord Salton was guided to find an apparent but pretended flaw in the deed of sale by his father to Lord Ochiltree, evicted Kinminity, and recovered it in 1666. This was owing to a shameful intrigue of a James Abernethy, who in 1657 had found access in London to the proceedings of the Court of Session in 1605, and torn out three leaves, including the decree of John Lord Salton's release from his self-imposed interdict. So they held that he had no right to sell in 1610, and every action since was null. Thus Alexander Lord Salton got possession in 1666, contrary to the truth of the case. He then sold the lordship in 1670 to Arthur Forbes, who undertook too much and failed; and, after some loans, Alexander Duff of Braco adjudged it in 1682, and obtained possession in 1687. Braco was agent. John Earl of Kintore used to implore, "Oh! keep the Hill of Foudlin between me and Braco." In 1691 the three leaves above-mentioned were found on Abernethy's death, and restored, but too late. In 1694-5, Arthur Forbes, late of Balveny, died. Afterwards, there were many intrigues and lawsuits about Balveny for twenty-two sessions, all finally settled in 1743; but the Duffs have always kept possession, and in 1759 became Earls Fife.

It is remembered of Braco, that when he once saw over a great extent of country a number of small gentlemen's houses, with the white smoke quietly curling up, he exclaimed significantly, "I'll gar a' that reek gang through ae lum yet!"

ALEXANDER SINCLAIR.

## COOKSEY OF WORCESTERSHIRE.

Nash, in the second volume of his *History of Worcestershire* (p. 50), gives "some descents of the Cookseys, taken from the Pedigree of the Russells of Strensham, and information of H[olland] C[ooksey], esq."<sup>1</sup>

Of this pedigree the following is an abstract:—

Walter Cooksey, who was buried at Witley in 1335, had issue Henry, who married Mary Butler. Their son Walter, buried at Kidderminster in 1410, married Maud St. Pierre, and by her, who was afterward married to Sir John Phelip, had issue Hugh Cooksey, who died s.p. in 1480, and two daughters, Cecilie<sup>2</sup> and Joice, the former married to Thomas Cassey, and the latter to H. Greville.

H. Greville had issue by Joice a son, Thomas Greville, K.B., who assumed the surname of Cooksey, and was father of a son Richard Cooksey of Worcester. Richard had issue John, who had issue Edward Cooksey, Mayor of Worcester in 1665, father of John, who, by Mary Ann his wife, daughter and heiress of Richard Blurton of White-ladies, had issue Richard, married to Anne Meadowcourt, niece to J. Holland, warden of Merton College, Oxford, by whom he was father of Holland Cooksey, Anne wife of E. Ingram, and Mary wife of Thomas Thomas.

Now this pedigree is a mass of errors. For *Henry Cooksey m. Mary Butler*, read *Hugh m. Dionysia Boteler*, and for "*H.*" Greville read *John Greville*. Sir Walter Cooksey married *Isabella St. Pierre*, by whom he was father of the Walter whose widow Maud married Phelip. Sir Thomas Greville, K.B., who assumed the surname of Cooksey, was the *grandson* of John and

<sup>1</sup> This gentleman (who was by profession a barrister) resided at Brace's Leigh in Worcestershire, an estate which he purchased in 1758. He died at Bath Dec. 26th, 1792, leaving issue by his wife, a Miss Stors, a son Richard Cooksey, esq. also a barrister, who in 1788 issued proposals for a *History of Worcester from the collections of Dr. Nash*, to be published by subscription in one volume. This work was never published. Mr. Richard Cooksey died in London in March 1798. (Chambers' *Biographical Illustrations of Worcestershire*, pp. 541 and 582.)

<sup>2</sup> Cecilie's daughter was married to Walter Huddington, whose son by her, Thomas Huddington, had two daughters and coheiresses married to Russell and Winter.

A. Nat. 2147. p. 2. m. 11 (Col. Pat. Kells 11. 466) Aug. 7. 1806  
John Long @ Somerset<sup>4</sup> for entry without licence as an heir  
ing in Thomas Cooksey - the pedigree is given as opposite

Joice, and he died issueless; consequently, Richard Cooksey who, according to Nash, "settled at Worcester," could not have been his *legitimate* son.

This is a remarkable example of the careless manner in which Nash compiled his genealogies, for not only does this pedigree differ from his own account of the several manors and lands possessed by the Cookseys in Worcestershire, but it is quite at variance with the statements of Dugdale, who in his *Warwickshire* had already shown that Sir Thomas Greville *alias* Cooksey, the alleged ancestor of the Cookseys of Worcester, died s.p. and that his possessions were divided between Russell of Strensham and Winter of Huddington, who were descended from the marriages of Thomas Cassey and Cicilia Cooksey.

The information of "H. C. Esq." was probably confined to an account of his own immediate ancestry, and, saving the mythical son of Sir Thomas, K.B., is doubtless accurate; but the pedigree of the Russells of Strensham, from which it appears these "few descents" were chiefly taken, must have been very faulty.

The accompanying pedigree, which contains, it is believed, a pretty accurate account of this once influential family, is compiled in a great measure from Nash's own work; but much information has been also derived from Dugdale's *Warwickshire*, 1st ed. pp. 52, 251, 493, &c.; from the *Harl. MS.* 139; and from other authorities cited in the notes.

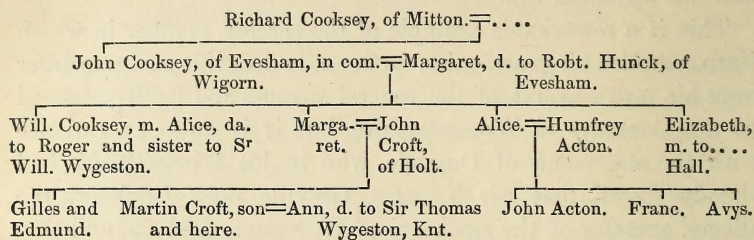
Among the estates which descended to the Russells from Cooksey, Nash mentions *Witley* and *Wolverton*. The former, he says, they sold to the Foleys, and the latter to the Actons. But in vol. i. p. 194, he informs us, that William Cooksey, esq. of Wolverton died s.p. and was succeeded in that estate by his nephew John Acton.

The fact is that, long after the Cooksey's of Cooksey, Kidderminster, &c. had become extinct, there was a family of the same name flourishing at Little Wolverton, and Evesham. Humphry Acton (of the family of Acton of Sutton<sup>1</sup>) married the sister of William Cooksey of Wolverton, and his son John Acton acquired that estate as one of the heirs to his uncle.<sup>2</sup>

<sup>1</sup> See the copious pedigree of Acton in *Harl. MS.* 1043, f. 17.

<sup>2</sup> Shirley, *Noble and Gentlemen*. Burke's *Commoners*, &c.

The following pedigree of this branch of the family is extracted from the *Harl. MS.* 6139,<sup>1</sup> folio 18<sup>b</sup> :—



Arms: Argent, a bend azure charged with three cinquefoils or between two mullets sable, all within a bordure gules bezantée (*Cooksey*); impaling, Ermine, on a chevron per chevron sable and azure three estoiles or (*Wygeston*), with three quarterings. The crest of *Cooksey* of Wolverton was, according to the *Harl. MSS.* 615 and 1566, a wolf's head sable charged on the neck with a cinquefoil between two bars or.<sup>2</sup>

Who Richard Cooksey of Mitton who heads this pedigree was I have not ascertained.

The Cookseys of Worcester entered their descent at the Worcestershire Visitation of 1682-3, and claimed to bear, Argent, on a bend azure three cinquefoils or, the undifferenced coat of Cooksey, but adduced "no proof."

The then representative of the family was Edward Cooksey, alderman of Worcester, æt. 68 in 1683, son of John Cooksey of Worcester, who died "*circa* 1646, æt. 63," by Margaret daughter of Roger Brooks of Worcester. (She died in 1666.) Edward married Joice daughter of George Longmore of Upper Arley, co. Stafford, and was father, with other issue, of two sons, George Cooksey of Worcester, then aged 34, and John of White-ladies, who died in 1679.

<sup>1</sup> "Arms and Pedigrees of Families in the Counties of Hereford, Worcester, and Gloucester, some taken in the Years 1633 and 1634." *Harleian Catalogue*.

<sup>2</sup> Edmondson attributes these arms and crest (but with *three* mullets on the field) to "*Cooksey* of Little Wolverton and Engham in Worcestershire." The mullets and bezants were perhaps derived from the coat of *Hunkes* of Radbrook, viz. Gules, an inescutcheon argent charged with three mullets sable within an orle of eight bezants.

According to Nash, the John with whom this pedigree commences was a son of Richard Cooksey, the alleged son of Sir Thomas Greville alias Cooksey, K.B., but the worthy alderman appears to have been ignorant of the name of his grandfather, and was not able to state the exact date of his father's death.<sup>1</sup>

It may be added that John Cooksey of Whiteladies acquired that estate in marriage with Mary Anne daughter and heiress of Richard Blurton by Mary Somers his wife, daughter of Richard Somers of Whiteladies, and aunt of the great Lord Somers.

H. SYDNEY GRAZEBROOK.

NOTES TO THE PEDIGREE OF COOKSEY. (p. 659.)

1. Willey, co. Warwick, belonged to the Herdeberghs, whose heiress was married to Boteler of Wem. Hugh Cooksey died seised of it on 15th Dec. 24 Hen. VI. 1445-6. (*Dugdale*.)

2. In his account of Cooksey, *sub* Upton Warren, Nash states that an Elizabeth Cooksey succeeded Walter as Lady of Cooksey, and held it in 28th Edw. I. 1299-1300. But a Walter Cooksey was patron of Witley in 1328. It is therefore probable that Elizabeth was the widow of Walter, and that the Walter of 1328 was her eldest son, and died s. p.

<sup>1</sup> Nash describes several monuments of the Cookseys in St. Andrew's Church, Worcester. John Cooksey, "one of the chamber of this city," died, it appears, May 7th, 1648, aged 62, and Margaret his wife on the 7th of May, 1666, æt. 73.

Edward Cooksey died 16th March, 1692-3, æt. 78, and Joice his wife, 3rd Nov. 1681, æt. 63. This tomb was surmounted with an escutcheon of the arms of Cooksey impaling, (Sable), a chevron (or), and a canton ermine (*Longmore*).

John Cooksey eldest son of Edward died 16th Aug. 1680, aged 36, and Mary Anne his wife in 1704, æt. 58.

George Cooksey of Worcester, clothier, died Aug. 4th, 1700, æt. 49, and Dorothy his wife eldest daughter of Henry Taylor, clothier, died 1686, æt. 32. (*Cooksey*, impaling, a fesse dancetté between three eagles displayed.)

Richard Cooksey, of the parish of St. Clement's, clothier, and Martha Swift, of the parish of Cleynes, *puella*, were married by license June 27th, anno 1705. (*Dr. Prattinton's Worc. Collections*.)

There is also a M. I. in Hanley Castle church noticed by Nash, to Mary relict of Edward Cooksey of Worcester, clothier, who died Aug. 20th, 1728, aged 64.

In the Register of Tardebigg, Henry Cooksey, buried 3 Feb. 1647; his children, Elizabeth, bapt. 19 July, 1640; Henry, bapt. 3 May, 1629, bur. 5 Nov. 1628; John, bapt. 3 Nov. 1633. Anne, dau. of William Cooksey, bapt. 15 Jan. 1636, and Jane, another dau. of the same, 8 Nov. 1646. (*Prattinton Collections*.)

3. See Dugdale, pp. 52, 251. The names of Walter de Cooksey and Dionysia his wife are noticed by Nash as being in a window of Kidderminster church. The arms of Cooksey quartering Gules, a fesse counter-componé between six crosses (pateé) argent, also occur in the same church, and must be referred to this match as they are the bearings of Boteler. Dionysia was, however, a co-heiress to her mother (Herdebergh) and not to her father.

4. See Dugdale, *ut supra*. See also Harl. MS. 139. Pedigree of St. Pierre, p. 31. This Urian de St. Pierre was the son of Sir John de St. Pierre and grandson of Urian de St. Pierre by Idonia, daughter of David Malpas *alias* le Clarke. In this MS. the line of Cooksey and Greville is carried on to Thomas Greville *alias* Cooksey, who died s.p. The arms of St. Pierre were: Argent, a bend sable and a label of three points. One of the Cooksey escutcheons in Kidderminster Church is: Quarterly, 1st and 4th, Cooksey; 2nd, Boteler; 3rd, St. Pierre. Another is: 1st and 4th, Cooksey; 2nd and 3rd, Azure, a lion rampant between 8 crosses crosslet or, evidently the coat of Brewes. It appears from Townsend's Additions to Dugdale's Baronage (Coll. Top. et Gen. vi. p. 74) that in the 14th of Henry VII. 1498-9, Thomas Earl of Surrey and Sir Maurice Berkeley were cousins and heirs of George Brewes, the brother of Agnes, mother of Isabel, sometime wife to Sir Walter Cooksey. These two persons had special livery of all manors, &c. &c. which "fuerunt p'd'ci Georgij Brewes aut p'fate Agnetis seu prefate Isabelle et q. post mortem of said George, Agnes, and Isabel, or of Thomas Grevill, al's Cooksey, knt., John Grevill father of the said Thomas, Joice mother of the said John, Hugh brother of the said Joice, Walter father of the said Hugh and of the said Walter Cooksey, knt. and Isabel, father and mother of the said Walter, father of Hugh, or of any of them, had come into the King's hands." (*Pat. of special livery* 18 July a° 14 Hen. VII. p. 2 m. 4.)

5. Dugdale gives no wife to this Walter, but in the Harl. MS. 1241—a copy of Lee's so-called Visitation of Shropshire, a° 1564—he is stated to have married Maud Harcourt. That a Walter Cooksey did marry a lady whose baptismal name was Maud, and whose arms were *two bars*, and that she and not Isabel St. Pierre was the lady who was afterwards married to Sir John Phelip, is proved by the effigies of Maud and her two husbands yet remaining in Kidderminster church, an engraving of which is given in Nash.

Upon this monument, which is a flat stone inlaid with the figures of

**PEDIGREE OF COOKSEY, OF COOKSEY IN UPTON WARREN,  
AND OF KIDDERMINSTER, &c., IN WORCESTERSHIRE.**

**ARMS:** Argent, on a bend azure three cinquefoils or (sometimes between two cotis dancetté gules).

**CREST:** A bunch of cinquefoils stalked vert, flowered or, bound gules.

(In Charles' Roll of the reigns of Henry III. and Edward I., *Walter de Coksey* bears, Gules, semée of cross-crosslets, a fesse argent.)

William le Boteler, Baron of Wem.	1. Ela, dau. and coh. of Roger de Hardeburgh (2nd wife).	2. Sir Walter Cooksey, of Cooksey in Upton Warren, knt. Presented to Kington church 1285, to Witley 1287. Will dated 24 Ed. I. 1295-6.
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Dionysia le Boteler, coheirress to her mother, called a widow in 1361. Presented to Mitton chapel in 1358 and 1365. (? Re-m. to Wm. de Sharesnull; see Shaw's <i>Staffordshire</i> , ii. 281.)	3. Hugh de Cooksey, whom Dugdale calls younger son. Patron of Kington 1344. Held lands in Cooksey 20 Ed. III. 1346-7. Patron of Witley 1349-50, Mitton 1349. Died 30th Ed. III. 1356-7.
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Sir Walter Cooksey, knt. son and heir. Patron of Witley 1386 and 1392. Died 6th Hen. IV. 1404-5.	4. Isabella, dau. and h. of Urian de St. Pierre, by Agnes sister and heiress of George Brewes.
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5. Walter Cooksey, esq. of full age 1405. Presented to Witley 1406; died Aug. 4, 8th Hen. IV. 1406-7.	Maud, dau. to Sir Thomas Harcourt. (Harl. M.S. 1241.)	Sir John Phelip, knt. of Dennington, co. Suffolk; Sir John presented to Witley in 1409, being then styled "D'nus de Witley." (See some particulars of the family of Phelip in correction of Dugdale and Nash in <i>Gent's Mag.</i> 1835, ii. 261.) (Note.)
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Hugh Cooksey held lands in Cooksey 7th Henry VI. 1428-9. Patron of Witley 1443; mar. Joan, dau. of Tho. Neville Lord Furnival. Ob. s.p. 24th Hen. VI. 1445-6.	8. Cecile, mar. Thos. Cassey.	John Greville, of Campden, county Gloucester, esq. mar. 1st, Sibilla, dau. and h. of Sir Roger Corbett. (Rudder, <i>Gloucestershire</i> .)	6. .... Joice, sister and co-heir-ess of Hugh Cooksey. As Joice Beauchamp she presented to Witley in 1461, and to Mitton in 1468 and 1469. As Joice Beauchamp, widow, presented to Mitton in 1473.
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Sir John Greville, of Charlton-King's, co. Gloucester. Knighted 5th Edw. IV. 1465-6. Had livery of the lands descended to him from his mother, 13th Edw. IV. 1473-4. Presented to Mitton 1479; died 6th Aug. 20 Edw. IV. 1480-81.	Johanna, relicta 20 Edw. IV. 1480-81 (Dugdale). Anne, dau. to William Vampage (Harl. MS. 1241).
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7. Thomas, assumed the name of Cooksey, aged 26, in 20 Ed. IV. 1480-81, of Milcote, co. Warwick; made a Knight of the Bath at the Coronation of Henry VII. 1485. Married Elizabeth, dau. of William Lord Herbert, but died s.p. in 14 Hen. VII. 1498-9, when Messrs. Russell and Winter, descended from Cecile Cassey, were found by Inq. to be his heirs. (According to the Harl. MS. 1241 he mar. "Isabel, dau. to Jo'n Harcourt de Com. Pembroke.")	Anne and Margaret, who, says Dugdale, it seems had no issue, as Winter and Russell were found heirs to Sir Thomas Cooksey, K.B. their brother.
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Dugdale states (*Warwickshire*, p. 285) that Agnes, dau. of Thomas Beauchamp, third Earl of Warwick, was married, 1st, to Cooksey, and 2ndly, to Bardolf. Her portrait was with her sisters in a window on the south side of the quire of the collegiate church at Warwick, inscribed "Agneta." Her outer garment is semé of cinquefoils, and on the inner one are the arms of Beauchamp. Who this Cooksey was I have not ascertained. He quotes the Rous Roll as his authority.

a lady between her two husbands, are six escucheons of arms. First (beginning from the left): Two bars; 2nd, *Phelip impaling two bars*; 3rd as the first; 4th as the 2nd; 5th, Cooksey single; 6th, *Cooksey impaling two bars*. It is therefore clear that the lady's paternal arms were two bars. In a window of the same church Nash also describes a coat of Phelip impaling: Or, two bars gules, and "Walter de Cooksey and Matilda his wife" with their arms, Cooksey impaling Or, two bars gules, a coat which he ascribes to *Harmonville*, but which was certainly also borne by Harcourt. Habingdon (Harl. MS. 2205) also describes a window in the cloisters of the Cathedral at Worcester in which were the arms of Phelip impaling Or, two bars gules, and this inscription, "Orate pro anima Domini Johannis Phelippe Baronis de Doninton qui hanc fenestram fieri fecit." In the same window were the arms of Cooksey impaling Gules, a saltire argent charged with a martlet sable, the bearings of Hugh Cooksey (stepson of Sir John Phelip), and Joan his wife, daughter of Thomas Neville Lord Furnival. (See Courthope's *Historic Peerage*, art. FURNIVAL.)

6. Dugdale says that Joice was married 1st to . . . . . Beauchamp, 2ndly to John Greville, and 3rdly to Leon Stapleton. This is manifestly incorrect, unless she retained the name of Beauchamp after her other marriages, for she is described in 1473 as Joice Beauchamp, widow, "soror et hæres Hugo. Cooksey mil." by which it appears that Beauchamp was her last husband. I have not been able to identify this Beauchamp, nor have I found any other authority than Dugdale's pedigree, in p. 52, for the match with Stapleton.

7. That Sir Thomas Greville *alias* Cooksey had no issue, is asserted by all the authorities, and is proved by the fact that Russell and Winter were found to be his heirs. In 1515 the patron of Mitton was "Edvardus Grevill mil. consang. et heres Joh. Grevill mil. fil. et h. Jocose Beauchamp." This would be Edward Greville (knighted 1515 at the battle of Spurs) who was the son of John Greville, male heir of Sir Thomas Greville *alias* Cooksey. He died 20th Hen. VIII. 1528-9.

8. In the Harl. MS. 1241, this lady is called *Elizabeth*, daughter to Sir Walter Cooksey, knt., and she is stated to have married secondly " . . . Raues," and thirdly William Darrett. She had issue, according to the same MS., two daughters: Agnes, wife of Walter Huddington, and Margaret married to . . . Manwaring.

## BURKE'S LANDED GENTRY.

A Genealogical and Heraldic History of the Landed Gentry of Great Britain and Ireland. By Sir BERNARD BURKE, C.B., LL.D., Ulster King of Arms, Author of *The Peerage and Baronetage*, *The Dormant and Extinct Peerage*, *The Vicissitudes of Families*, &c. &c. (In Two Volumes.) Fifth Edition. London: Harrison, Pall Mall, Bookseller to The Queen, and H. R. H. the Prince of Wales. 1871. Imp. 8vo. pp. 1600.

Sir Bernard Burke, with manifest labour and assiduity, has produced this Fifth Edition of his *History of the Landed Gentry*. Though forming, by about 150 pages, a somewhat less bulk than the previous edition, it is judiciously divided into two volumes, each of which is sufficiently ponderous for ordinary hands, whereas the former book was only fit for a special lectern.

We receive with implicit confidence, and a just and thankful appreciation, the assertions made in the Preface, that, during the two years devoted to the preparation of the present edition, "every available source of information has been exhausted, and a correspondence carried on, which has secured *more than ten thousand communications* from those most competent to improve and correct the work." The great aim of the Author, as he assures us, has been to arrive at accuracy: but he fairly urges that the time of no individual, however painstaking, would be sufficient for a work of this extent, were it to depend solely upon his own knowledge or research. He rather takes merit that the book is chiefly compiled "from the communications of the chiefs and scions of families, from their private papers, traditions, and genealogies:" and he throws upon such correspondents, most properly, the responsibility of the statements they may make.

The law of England admits as evidence the declarations of members of a family, and here we have that evidence most largely contributed. Occasionally inaccurate information may be furnished; but this exception to the general rule is not of frequent occurrence.

\* \* \* \* statements thus subjected to the public eye, challenge inquiry; and if there be error, either inadvertent or wilful, that error will be sure some day or other to be detected and set right.

All honour be rendered to Ulster King of Arms for these manly and independent sentiments! For our part we congratulate ourselves especially that the censures which have been passed in our own pages upon some of the "Doubtful Pedigrees" of the *History of the Landed Gentry* have been entertained by its author and editor in so generous and judicious a spirit: and it will encourage us to persevere in the

course we have hitherto taken in this respect. He is quite right to "challenge inquiry," for nothing can tend so materially, and essentially, at once to the improvement of his work and to its general acceptance and estimation as a standard authority.

Sir Bernard Burke assures us that "*Apocryphal statements, which had crept into former editions, have been expunged*, erroneous particulars and incorrect descents discovered and omitted." Thus, Adair of Bellegrove and Rath, Queen's County, that once rejoiced in eighteen generations (see our vol. iv. pp. 552-554) is now reduced to five; Alloway of the Derries, Queen's County (see our vol. v. p. 78) is shortened in like manner; Cleland of Rath-Gael, co. Down, is divorced from Cleland of that ilk (see our vol. v. pp. 79-84) and more modestly commences with the marriage in 1731 of the factor to the Earl of Galloway; Cox, of Broxwood, co. Hereford, no longer descends from "the twenty-fourth titular Earl Cox" (see our vol. v. p. 84), nor even from "Sir John Cox, a naval captain under Prince Rupert" (ibid. p. 86), but has to be content with a pedigree commencing in the last century; Duckett of Duckett's Grove, co. Carlow, is properly shorn of his suppositious English ancestry (see our vol. iv. p. 461); Graham of Tamraver is reduced of his "seven generations" (see our vol. v. p. 536); and so generally throughout the alphabet, the Author has shown himself influenced by honest criticism.

Montgomery of Grey Abbey, co. Down, stands his ground as descended from the Earls of Eglintoun through the lairds of Braidstone (see our vol. iv. p. 462); and so we presume this descent has been established to Ulster's satisfaction.

But besides, the Author tells us, there have been "a few memoirs excluded, as being no longer associated with the possession of landed property." Some perhaps for that reason, and some for others more or less cogent. Alexander of Powis, co. Clackmannan (see our vol. iv. p. 554), has disappeared altogether; following Bonar, and Guthrie of Hankerton, and the too notorious Coulthart (repeatedly noticed in vols. iii. and iv.) which were previously excluded.

Few people indeed would imagine, until they came to examine for themselves, how great are the alterations that take place in successive editions of this work; not only in each article that stands its ground, but in the insertion of new articles and the omission of others. Without looking for other examples, one has incidentally occurred to us. At the same spot, under the letter M, we find three articles that were in the last edition, De Medowe, Meekins, and Meigh omitted, and

three inserted, Meek of Brantridge Park, Sussex; Meetkerke of Julians, Herts; and Foster-Melliar of North Aston Hall, co. Oxford. This is found necessary, we presume, in order to keep the work at all within compass. We might otherwise express some regret at losing sight of some old acquaintances: but the remedy is for those who possess the former editions to keep them upon their shelves,<sup>1</sup> and not exactly to regard them "as useless as an old almanac."

The family of Meadows, of Witlesham Hall, in Suffolk, was one of the most ancient in that county, from a younger branch of which Earl Manvers is descended in the male line. It must still be numerous, as appears by the genealogy in the former edition; and we should like to see it restored to its place, but under its proper modern orthography of Meadows, for the assumption of that of *de Medowe* was only a silly whim of its last bearer.

It happens that the cashiered article of Meekins (within a few lines of the above) presents a second vagary of the same character, in the instance of the next brother of Robert Meekins, esq. of Glasthule House, co. Dublin:

Thomas de Meschin, B.A., LL.D., F.S.A. of the Inner Temple, London, barrister-at-law. This gentleman has adopted the ancient spelling of his family surname De Meschin.

When in our first volume (pp. 138—158) we reviewed the various modern English names that bear, or have borne, the prefix *De*, we had not met with either of these examples; but we there showed, pretty conclusively, that the *De* is, with scarcely an exception, a very recent assumption, with a mistaken idea of reviving—under a pretence of perpetuating, a particle that was never English, but only used in Latin or French deeds or documents.

As for the Meekins pedigree, it did not appear in *Landed Gentry* before the third edition; and, as for the learned barrister, we find by the *Law List* that Thomas de Meschin, LL.D. was called to the bar at the Inner Temple 17 Nov. 1852, but we do not find his name in any list of the Society of Antiquaries of London. What *de Meschin* might mean we do not exactly perceive; but the surname or sou-

<sup>1</sup> It will be remembered that Mr. Bridger, in his *Index to Printed Pedigrees* 1867, (as noticed in our vol. iv. p. 368,) has furnished an alphabetical table of reference to the pedigrees in all the four editions of Burke,—printed respectively in 1837-8, 1846-8, 1860, and 1863. Editions bearing other dates, we may here explain, are not actual reprints, but merely corrected and amplified by addenda.

briquet that occurs in several very ancient Norman families,<sup>1</sup> and which belonged to one of the Earls of Chester, was *le Meschin*, *hod. Mesquin*, "mean-spirited !"

One family that we miss, and which should now be restored to the Commoners, since there is no longer any Lord Taunton, is that of Labouchere. Under similar conditions, "Pemberton of Torry Hill, co. Kent," now represented by a brother of the late Lord Kingsdown, has found his proper place in this edition. The family of Martineau is an interesting one, and has been briefly noticed in the last three editions, but is now omitted, perhaps for want of fuller information. And so probably in other cases.

But further, the rigid necessity of compression frequently operates to suggest the omission of certain passages not because they are incorrect, but because they are deemed comparatively unimportant. On this account those inquirers who wish for full information, rather than merely such as they might expect to find in an annual Peerage or Baronetage, should extend their research to the older editions of this work. We know that the Editor would gladly retain, where he can, interesting features; but he sometimes loses them unawares, as he has done in reducing the five children of Charles Beckford Long, esq. to the two surviving daughters; whereas the eldest son, Charles Edward Long, M.A., who died Sept. 25, 1861 (*not* 1831, as was misprinted in the last edition), was that eminent genealogist the author of *Royal Descents*, to whom Sir Bernard Burke will admit that he owes some debt of literary gratitude.

As with the Genealogy, so with the Armory, of this work, Ulster is careful not to assume more responsibility than attaches to his own province. He plainly says,—

<sup>1</sup> Mr. Stapleton appears to have considered *le Meschin* as simply meaning "the younger." He speaks of "Rannulph the younger or *le Meschin*, son of Rannulph Vicomte of the Besin, who [*i.e.* the son] after the death of Richard, Earl of the shire of Chester, in 1220, had that earldom by inheritance." (*Observations on the Rolls of the Norman Exchequer*, 8vo. 1844, vol. ii. p. cliv.) We know that in numberless books the Earl of Chester will be found named *de Meschines*, but we regard this merely as a prevalent error: he was surnamed *de Bricasard* from Briquesart, his birthplace in le Bessin, or province of Bayeux; *le Meschin* from his personal character or position.

Mr. Cosmo Innes also (Preface to *Registrum Glasguense*, p. xxvi. note,) where speaking of the celebrated grant in the 12th century by one of the Annandale Bruces to the canons of Gisburne, calls him Robert Bruce *le Meschin*, which seems to imply "the younger," as the charter styles him "*Robertus filius Roberti de Brus domini Vallis Anand.*"

With respect to the ARMS attached to the memoirs of English and Scotch families, it is to be understood that those Arms are the heraldic bearings actually in use; whether or not derived from proper authority, I do not pretend to decide. (Preface, p. iii.)

They are therefore as freely open to criticism and even to dispute as the genealogical statements. But there is one feature strictly belonging to the editorship, and in which we earnestly wish we could persuade the Editor to effect a reform, both in this work and in his *Peerage and Baronetage*: we mean the excessive punctuation of the blason,—as for Esdaile:

*Arms.* Erm., on a chief, indented, gu., three estoiles, or.

*Crest.* Out of a mural crown, az., a demi-eagle with wings, displayed, ppr., beaked or.

Where there are five commas in the arms when only one would be sufficient, and five in the crest, which requires only one. And so throughout the work. As in legal proceedings so in blason, superfluous punctuation can only puzzle, rather than assist, the uninitiated. In the crest above, for example, it is the wings that are displayed, not the demi-eagle: were it an entire eagle displayed, there would be no need to name the wings.

In the foregoing remarks we have necessarily confined ourselves to the general characteristics of this important and truly national work—a work in which all classes must entertain some interest, either as more or less personally concerned in its contents, or as representing the position and fortunes of those upon whom their hopes and support mainly depend. In our future pages we shall doubtless have frequent occasion both to avail ourselves of the information it stores up, and to add our quota to the store-house, in particular instances.

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The Yorkshire Archæological and Topographical Journal. Published under the direction of the Council of the Huddersfield Archæological and Topographical Association. Parts I. II. III. and IV. 8vo. pp. 392.

The Association whose Transactions we have here to welcome, was founded in the spring of 1863 by the late Mr. John Newell<sup>1</sup> of Farnley Wood, the Rev. Thomas James, F.S.A. of Nether Thong parsonage, and Mr. H. J. Morehouse of Stoney Bank, author of a *History of Kirkburton and the Graveship of Holme* (8vo. 1861). At first devoted only to the parishes of Kirkburton and Almondbury, it was soon extended to the area of the Deanery of Huddersfield, in-

<sup>1</sup> See p. 461 of our last volume.

cluding the flourishing towns of Huddersfield, Dewsbury, and Wakefield. At a meeting held at Pontefract on the 31st of August last, which was attended by members and friends, to the number of 170, from all parts of Yorkshire, the name was changed to THE YORKSHIRE ARCHÆOLOGICAL AND TOPOGRAPHICAL ASSOCIATION, when its objects were defined in these terms—"To examine, preserve, and illustrate the history, architecture, manners, customs, arts, and traditions of our ancestors, and especially to further the collection and preservation of materials for the history and topography of the county of York." Its Journal had been previously commenced under the title above copied in April 1869.

The First Volume of the Journal which is now placed before us contains a series of memoirs of a high standard of excellence, relating to all periods of antiquity,—Primæval, Roman, Anglo-Saxon, and Mediæval, to history, biography, and ancient art. Among their writers are some whose names are already among the best known and esteemed, as Mr. Robert Davies, F.S.A. of York, the Rev. W. C. Lukis, F.S.A., Mr. Edward Peacock, F.S.A., the Rev. Canon Raine, and Mr. Albert Way.

We must limit our remarks chiefly to those articles which have especial relation to genealogy or heraldry: but first make a passing allusion to Mr. Raine's interesting notices of "what has been hitherto done in print for the topography of Yorkshire," contained in an article "On the materials for the Topography of the Wapentake of Agbrigg." The whole of the past historians of the several divisions and towns which form the extensive county of York are passed under review, Drake, Whitaker, Hunter, and the rest, and critical opinions are freely given upon their merits and their demerits. "After all, we cannot but observe with surprise how large a tract of the largest of our counties has found no chronicler whatever." The writer urges that an attempt should be made to proceed with a County History of Yorkshire on a regular plan, and of that plan the model should be Joseph Hunter's *History of the Deanery of Doncaster*,—"in point of fact the only part of the county of York which can be said to have a history at all,"—that is, at all approaching completeness, though still somewhat deficient in regard to the archiepiscopal and testamentary records, and as respects architecture.

To general readers the most interesting memoir in this volume will be that of "*Sir Thomas Herbert of Tintern*," contributed by Robert Davies, F.S.A. of York. Sir Thomas Herbert was descended from

Thomas Herbert of St. Pierre, near Chepstow, the third and youngest son of Sir Richard Herbert of Colebrook, from whose second son the Earls of Powis and the Lords Herbert of Cherbury were derived. Richard, a younger son of Thomas, was attracted to Yorkshire by his cousin Maude Countess of Northumberland, one of the many daughters of the first Earl of Pembroke,—becoming one of the members of her household at the favourite mansion of the Percys near Topcliffe, and marrying a Yorkshire heiress, one Barbara Pudsey of Barforth in Richmondshire. His descendants were citizens of York, where Christopher his eldest son was Lord Mayor in 1572-3. Thomas, of the next generation, was Lord Mayor in 1604, and survived until 1614: when, writes Mr. Davies,

A short time *before* his death he had a grant of armorial bearings, in which the Heralds confirmed to him the coat-armour of the distinguished family from which he sprang, differenced only to mark his descent from a younger branch: Per pale gules and azure, three lions rampant ermine. Crest, a demi-lion rampant ermine grasping a broken javelin or. The grant by Richard St. George, Norroy, is not dated till 29 April 1614. *Harl. MS.* 1487, fo. 461 b.

He had died on the 14th: it is therefore, in our view, evident that the grant was not made until it was deemed requisite to authenticate the escutcheons prepared for the funeral. It is to be remarked that a still junior branch of the York family of Herbert, of which Philip Herbert was Sheriff of that city at the time of Dugdale's Visitation of Yorkshire in 1665, had its coat otherwise and further differenced, viz. Per pale azure and gules, three lions rampant argent within a bordure componée of the second and or, a canton of the last. (*Visitation*, edit. Surtees Soc. p. 148.)

The principal subject of Mr. Davies's memoir was grandson of the second Lord Mayor. The claims of Sir Thomas Herbert to the memory of posterity are by earlier and better titles than that of Baronet, which was awarded to him in his later years. He is the same Mr. Herbert who, having accompanied Sir Dodmore Cotton in his embassy to Persia, was the author of *Oriental Travels*, a book of which there were several editions; the same Mr. Herbert, who was the favourite attendant of Charles the First in his captivity, and who wrote that feeling memorial of the King's "two last years" the *Threnodia Carolina*; moreover, the same Sir Thomas Herbert in his later days was the coadjutor of Dugdale and Anthony à Wood,—“a great collector of ancient manuscripts, a singular lover of antiquities,” and a material contributor to the third volume of the *Monasticon*

*Anglicanum.* Having retired, with a natural partiality, to the ancient localities of his race, he was created a Baronet in 1660 as Sir Thomas Herbert "of Tinterne in the county of Monmouth," an incident which is thus noticed by Sir William Dugdale—

Mr. Herbert, being that learned person who hath published his observations upon his Travels in Asia, hath since the King's most happy Restauration been honoured with the title of Baronet, in testimony of the gracious sense his Majesty hath of his dutiful demeanour and perfect fidelity in those perillous times to his dear Father of blessed memory. (Short View of the late Troubles in England, p. 381.)

But Sir Thomas Herbert subsequently resided either at Westminster or at York, having in the former city a house in Petty France, and at York one in Petergate, where he died in 1681-2, at the age of seventy-six, and was buried in the church of St. Crux,<sup>1</sup> according to his own desire, "near several of his dear relations."

The annals of a career so unusually varied and eventful furnish materials which Mr. Davies has worked out with his characteristic care and skill; relating, in successive chapters, the tale of Herbert's foreign travel, his political life, his latter days, and his literary performances. Among the last was one which especially claims notice at our hands, being a history of the Herbert Family, thus described in his epitaph, and of which it would be desirable to ascertain the present place of deposit:—

Historiarum et penitioris Antiquitatis indagator sedulus,  
Queis, in accurata gentis HERBERTIANÆ historia,  
(ex Archivis Regijs, Authenticis Chartis alijsq' indubitatæ  
Antiquitatis monumentis, manu propria exaratis;  
et armorum, Sigillorum et Tumulorum Ectypis,  
Graphice delineatis) specimen eximium perhibuit.

Sir Thomas Herbert was the shining member of his family: which after his time fell into gradual decadence. When he made his last

<sup>1</sup> In Sir Thomas Herbert's epitaph (which is printed in fac-simile reduced from a heel-ball rubbing) his eldest daughter is mentioned as "Teresiam Alexandro Brafield de Hanslop in Agro Buck. nuptam," meaning, we think, Bramfield (for the A has, as we detect, a mark of contraction above it), but which is printed Brafield in p. 203 and Bradfield in the sheet pedigree. The next sister "Elizabetham, Roberto Phaire de Rostblon in Hibernia," which "Rostblon" is both in p. 203 and in the pedigree given as Rostillon, co. Cork, now called Rostellan.

The same monument exhibits an instance of a husband impaling the coats of his two wives on either side, dexter, and sinister. The crest is a sheaf of arrows, or javelins, and therefore different to that granted in 1614. It so nearly resembles the Egerton crest, that we imagine it may have been derived from that quarter, as the widow was a grand-daughter of the Earl of Bridgewater.

will in 1679 his chief hopes rested on his eldest grandson George, to whom he bequeathed "all my bookes, according to a catalogue formerly delivered Sir George Vane, the Bible excepted which Prince Henry gave my father-in-law Sir Walter Alexander, which I now give unto my dear wife the lady Elizabeth Herbert." To the same grandson he left also the clock, or large silver watch as we should now call it, which King Charles, as he walked through St. James's Park to his execution, gave him with these words, Keep this in memory of me! Unto the said George he bequeathed also various other family relics; among others an old piece of Arras worked with "the three white lions," the original arms of the Herberts; "as alsoe the great chessboard that was King Henry the Eighth's."

But George Herbert did not live to fulfil his grandfather's hopes. He died in 1687, at the age of fifteen;<sup>1</sup> and his father, Sir Henry the second Baronet,—who appears, like *his* grandfather before him, to have been improvident, left the family reduced to great obscurity. So little has been known about them, that both Courthope and Burke, in their Extinct Baronetages, presume that the dignity expired with the second Baronet in 1687. But Mr. Davies has traced its descent thus further—

III. Sir HUMPHREY, son and heir, succeeded 1687; m. Mary (Dewtris) widow of Thomas Ward of York; died 1701.

IV. Sir THOMAS, son and heir, living 1723; died unmarried.

V. Sir HENRY, uncle and heir; died 1732-3.

Drake, the historian of York, mentions the last of these, and relates that for some years before his death he had been charitably maintained at Badsworth by John Bright esquire, adding that, after his decease, "the honourable and antient family of the Herberts of York was extinct, at least dead in law, the title without estate descending to

<sup>1</sup> The interesting objects mentioned in the will were eventually dispersed. What became of the books generally is unknown; but one of the most precious volumes, King Charles's copy of the folio Shakespeare of 1632, in which he wrote his favourite motto *Dum spiro spero*, and in which Sir Thomas has left this inscription, *Ex dono serenissimi Regis Car. servo suo humiliss. T. Herbert*, is now in her Majesty's library at Windsor Castle. The King's silver watch is in the possession of Mr. Townley Mitford of Pitshill, co. Sussex: it has been represented in the *Sussex Archaeological Transactions*, vol. iii., in the *Journal of the Archaeological Institute*, vol. vii. 1850; and now again in the volume before us. The black silk cloak worn by the King in his walk to his execution is said to have been sold to Caroline Princess of Wales, afterwards Queen of George II.; and the King's cabinet is still preserved at Worsborough in Yorkshire, whither it was taken by the widow of Sir Thomas himself, when she married her second husband Henry Edmunds, esq. of that place (see Hunter's *South Yorkshire*, ii. 291.)

another brother, a low tradesman in Newcastle." In that case, the family, however degraded, was not actually "dead in law," and the report mentioned by Drake is rendered probable by the fact that Lionel, one of the younger brothers of the last Sir Henry, had been really buried at Newcastle in 1693, whilst Rice and Charles, two other younger brothers, have not been accounted for. All these and other genealogical particulars are fully set forth in a sheet pedigree which is appended to Mr. Davies's memoir.

A *Pedigree of Hanson, of Rastrick*, communicated by George John Armytage, F.S.A. from an old roll on vellum in the possession of Mr. John Booth of Huddersfield, is not characterised by the same perspicuity. It is written in Latin, and will only be properly understood from that circumstance, for it is merely its grammatical construction which will help the reader through, in spite of obstructive punctuation and somewhat ill-contrived typographical arrangement. What is worse, it is wholly deficient in dates, but this defect is partially remedied by a few editorial notes.

The *Heraldic Bench-Ends in Great Sandal church*, upon which Mr. James Fowler, F.S.A. has written an elaborate dissertation, are the same which have been more briefly noticed in Gough's *Sepulchral Monuments*, ii. 310, and in Mr. Longstaffe's *Old Heraldry of the Percys* (in *Archæologia Æliana*). They commemorate a cadet of the noble family of Percy, one Joselyn Percy esquire, (ob. 1532,) as appears by this inscription carved upon them—

orate pro bono statu joselymꝝ pyrcꝝ armegery

—the bad spelling of which is paralleled by the bad marshalling of two accompanying armorial shields. On one the quarterings of Percy are thus disposed; in an upper row: 1. Percy and Lucy quarterly; 2. Percy ancient; in the lower row, 3. Poynings; 4. Fitzpaine; 5. Bryan; and they impale, Quarterly: 1 and 4. (Argent), a chevron (gules) between three trefoils slipped (azure) *Frost*; 2. and 3. On a bend three roses, *Amyas*. On the second shield Percy and Lucy alone, quartered, impale the two coats of the wife, now not quartered but impaled. For this arrangement the present York Herald has good-naturedly suggested an apology, explaining it "as the probable expedient of the carver to commemorate the marriage of Frost and Amyas, as though the fact were not sufficiently testified to by the quartered coat of the larger shield, or he were desirous of presenting the idea of marriage more forcibly." Besides this confused marshalling, the martlet intended as a difference to the whole achievement of Percy is stuck in

*base* in one shield under the mill-picks of Percy, and in the other under the lucies of Lucy. The three piles of Bryan are represented in a manner which Mr. Fowler has thus attempted to describe—"A pile issuing from the chief; below, an inverted chevron." Further, it appears that the arms of Amyas are not perfectly represented, for their blason is, Argent, on a bend *cotised* sable three roses of the first. Before the black-letter inscription is carved the compound badge of the Shacklebolt<sup>1</sup> within a Crescent, and this also is differenced by a martlet placed on the crescent: which perhaps is the most curious feature in the whole design. A miserere seat carved with the Crescent and Shacklebolt, and some panelling with a crescent and two roses, both in the church of All Saints at Wakefield, are given as further illustrations. We must do Mr. Fowler the justice to add that he has worked as diligently in the genealogy of this subject as in the heraldry, and in his paper of twenty-one pages has included the will of Josceline Percy, esq. his inquisition post mortem, and other documents, and the genealogy of the Frosts. Had it not been for the attainder of 1572, Alan Percy, fourth in descent from Josceline of Great Sandal, would have become Earl of Northumberland on the death of Earl Josceline in 1670, as was shown by the late Sir Charles Young, Garter, in the *Collectanea Topogr. et Genealogica*, ii. 59.

The article entitled *Kirkthorp Mural Monuments* is important as comprising the epitaphs of the family of Smyth of Heath, several of whom have been distinguished in the state and senate, particularly the Rt. Hon. John Smyth, sometime Master of the Mint (ob. 1811), and John Henry Smyth, M.P. for the University of Cambridge in four parliaments (ob. 1822). Their predecessors at Heath were the Dalstons, Baronets: and *Lupset, the Heath, and Sharlston* were subjects of a privately printed brochure by the late Joseph Hunter, F.S.A. Kirkthorp was formerly called Warmfield; and this remarkable memorial is preserved—not now in the church, but in the will of the last abbot of Hailes:—

I direct that my body shall be buried in the chancel of Warmfield church, next my brother, and the stones that do cover us to be joined by a plate with these words:

We be two brothers: I pray you let us rest.  
 Stephen Segar,                      Otho Segar,  
 some time Abbot of Hailes.    Vicar of Warmfield.

—very probably no very distant relations of Segar, Garter.

<sup>1</sup> Very different to the Fetterlock, which occurs as a badge in the royal house of York.

At Kirkthorpe also are epitaphs written by Dr. Burton, author of the *Monasticon Eboracense*, to the memory of his father Mr. John Burton of Heath, late of London, merchant, and to that of his maternal grandfather Mr. John Leake, for fifty years the resident Vicar of the parish.

But, after all, the most valuable article to biographers and genealogists, and that not only to those of Yorkshire, but of distant counties also, is the copy of the *Register of the Burials in York Minster*, which occupies 105 pages of this volume. It extends from the year 1634 to 1836; at which latter date the last burial in the cathedral church took place, being that of Albinia Chaloner, spinster, of York, a cousin of Robert Chaloner, Lord Mayor in 1817 and M.P. in 1820. Now, this Register, comprising altogether only 281 names,<sup>1</sup> is most amply illustrated throughout, by Mr. Robert H. Skaife, with genealogical and biographical notices, with very careful fac-simile copies of the remaining epitaphs, and such armory as lingers on the monuments since the disastrous fires from which the church has suffered. For further evidence of the latter kind the reader may turn, as we apprehend, to the plates of Dart and Drake, and the pages of Drake and other York historians.<sup>2</sup> During the two centuries through which the register extends there are few years that do not commemorate the interment of persons either eminent in connection with the church, the state, and literature, or members of those noble and gentle families to which York was a metropolis and frequently a winter residence. From 1642 to 1646 we meet with many of the officers slain in the Civil War, and several of whom still require identification. A plan of the Lady Chapel and its side ailes is attached, in order to show the present position of the monuments not destroyed in the calamitous fire of

<sup>1</sup> We have great hope that Mr. Skaife will be induced to treat the Baptismal and Marriage entries of the Minster Register in the same manner hereafter.

<sup>2</sup> And so as to the monuments themselves, which Mr. Skaife has not attempted to describe. We wish, however, that he had spared his reflection, that "With few exceptions they are heavy and in bad taste, contrasting painfully with the architectural features of the glorious building in which they are placed." He might have left these sentiments for the iconoclastic "restorers," who are now taking such cruel revenge for the injury which the monumental sculptors were formerly permitted to inflict upon architecture. At present it is the monuments which, like the French, are suffering the penalty of former aggressions with cruel and unreasonable severity, and all under what Mr. Canon Raine (p. 16) so properly terms "the horrible process of what is called Restoration." While we admit that monuments should be kept in their proper places, we maintain that when in their places they should claim respect and protection.

1829, after which several of them changed their places, and very few of the old gravestones were preserved intact, the others being either sawn up, turned, or otherwise destroyed! Such are the events either destructive or (*soi-disant*) restorative that are perpetually at work and fretting away the sepulchral monuments of our ancestors, with all the information they were intended to record; and which can only be counteracted by the efforts of the pencil, the pen, and the press. We are happy to conclude by remarking that a capital index makes the very substantial information contained in this volume readily available.

DEBRETT's Annual Peerage, and Titles of Courtesy, of the United Kingdom of Great Britain and Ireland. To which is added much information respecting the Immediate Family Connections of the Peers. 1871. London: Dean and Son, 65, Ludgate Hill, E.C. 12mo. pp. 672. (*Price 9s.*)

DEBRETT's Illustrated Baronetage, with the Knightage, of the United Kingdom of Great Britain and Ireland. To which is added much information respecting the Immediate Family Connections of the Baronets. 1871. 12mo. pp. 633, (*Price 9s.*)

DEBRETT's Illustrated House of Commons, and the Judicial Bench. 1871. Compiled and Edited by ROBERT HENRY MAIR. 12mo. pp. xiii. 492. (*Price 6s. 6d.*)

We have watched the developement of these kindred works during the last few years, and have duly reported thereof to our readers: showing how they have gradually become portions of one connected series, issued as they were by the same publishing house, and now at last brought under one editorship, that of Mr. Mair, whose literary diligence in bringing them to their present condition of completeness and accuracy is very conspicuous.

The *Peerage* is arranged after a plan already settled: first the alphabetical arrangement of titles; next biographical notices of sons, married daughters, and widows; then the Lords Spiritual, with their families,—a feature heretofore unknown in Peerages, unless when episcopal dignitaries were of the younger branches of the peerage; then, some account of recently Extinct Peerages; and lastly an account of the Royal Households, and particularly of her Majesty's Chaplains. The whole has been submitted to the personal revision of the families concerned.

The *Baronetage* and *Knightage* form the second volume, each arranged in alphabetical order.

These two volumes have a common Preface, from which we make the following extract in regard to the prominent changes of the year 1870:

During the past year death removed 23 Peers, 20 Peeresses, 1 Bishop, 33 Baronets, and 23 Knights, the average ages of the first-mentioned being 68, and of the two last 70. One Peerage (Willoughby d'Eresby) went into abeyance, and two Peerages

(Somerville and Wenman) and five Baronetcies (Bateson, Bishopp, Burrard, Massey, and Rivers) became extinct. Two new Peerages were created (Lisgar and O'Hagan), and two eldest sons of Peers (Eliot and Kildare) were called to the Upper House during the lifetime of their fathers. The roll of Baronets received no addition during the year, but the honour of Knighthood was conferred on 24 gentlemen.

The Editor recurs also to the subject of disputed Baronetcies, to which we have so often directed the attention of our readers:—

In former editions we have referred to the circumstance that any person may, with impunity, assume the title of Baronet. This strange anomaly needs reform, as there is at the present time a number of persons adopting the style, well-knowing that they are not entitled to it, and unmindful of the legal *Quod ab initio non valet, tractu temporis convalescere non potest*. There are also a host of others who claim the title upon the most frivolous pretences, but who have the good sense to refrain from assuming it. And even in the present volume three instances occur where, the succession being disputed, two persons in each case claim under the same creation and adopt the title,—Codrington, Payne, and Tichborne.

Wonder is expressed that the legitimate Baronets should remain so apathetic on this point; and further that Government should wholly neglect legislation regarding it. Why is not the efficient machinery that already exists in the Heralds' Colleges of the Three Kingdoms called into exercise for this purpose? The registration that is requisite<sup>1</sup> would be very little burthensome in ordinary cases of succession: but the pretender might be reasonably visited, not merely with expense, but with degradation and penalty.

The third of these useful manuals is occupied for rather more than half of its space by biographical notices of the members of the *House of Commons*; followed by an account of the counties and places returning members, with the polls of the present parliament, and other statistics. Next comes a brief Peerage; and then ensues the biography of all the *Judicial Bench*, under their five classes, 1. the English Judges; 2. the Irish Judges; 3. the Scottish Lords of Session; 4. Judges of County Courts; 5. Recorders. After them follow several useful articles regarding the statistics and practices of parliament; chronological lists of Lord High Chancellors and Speakers; tables of parliaments and administrations; lists of Privy Councillors, Lords Lieutenant, Parliamentary Agents, &c. &c. The whole is closed by an *Heraldic Grammar*, illustrated with numerous cuts: sufficient for the tyro, though, like other popular compilations of this kind, by no means free from small misapprehensions, which we have not space to notice, but will merely say that two of the helmets in p. 484 somewhat too conspicuously turn to the sinister. Nor have we at present room to resume the criticisms, genealogical and heraldic, in which we indulged somewhat freely when noticing Debrett's *House of Commons* for 1870, in our last volume, pp. 273-286. We must observe, however, that all the high-flown and romantic ancestry that

<sup>1</sup> Methods have been suggested in our vol. iv. at page 6 and page 285.

we pointed out under the names of Dowdeswell, Feilden, Kinnaird, and Lambert is retained,—that of Moore only having disappeared, with its claimant,—the M.P. for the co. Mayo having died on the 20th of April last.

As to the Heraldic portions of all these volumes we must indeed protect ourselves by saying that we do not attempt to criticise them upon the present occasion. The *blason* of the arms of the Commoners has been withdrawn: on the ground that the tinctures are indicated in the engravings, which can therefore speak for themselves: but surely this is not the case throughout, for in many cases not merely the tinctures, but even the charges themselves require some auxiliary description. And in the cuts, however effective generally speaking, there are still several that are partially inaccurate, and others wholly incorrect—as, for instance, the members for Glamorganshire and West Cornwall can scarcely be entitled to the military augmentations that were granted to their uncle the first Lord Vivian.

Among the *Occurrences during Printing* prefixed to this volume are some particulars of the new member for the county of Meath, elected on the 5th Jan. 1871. He is described as “a small landed proprietor,” the son of Samuel Martin, esq. of Lougharm, co. Down; and these items of his career are sensational enough even for an Irish politician. Mr. Martin was formerly Editor of *The Felon* newspaper: together with his brother-in-law John Mitchel he was convicted of treason-felony in 1848; was transported in the next year to Van Diemen's Land; permitted to go into exile, and retired to France, 1854; amnestied in 1856; and returned to Ireland in 1858. At the last general election in 1868 he unsuccessfully contested the county of Longford; but now he has beaten the Hon. George Plunkett in the co. Meath by 1128 votes to 642. In answer to the Editor's customary inquiry as to this member's heraldic insignia, he has replied, “*I carry no Arms: this is a proclaimed district!*”

## PAPWORTH'S ORDINARY OF BRITISH ARMORIALS.

At a very early stage of this Publication<sup>1</sup> we made some remarks upon Mr. Papworth's Ordinary, and expressed our regrets at its slow progress, which unfortunately has not been subsequently mended, in consequence of the bad state of the Author's health. He has now departed to his rest; but the work we have reason to hope has improved prospects of completion, under the care of his brother and Mr. Morant, by whom the ensuing statement has been put into circulation.

In consequence of the decease of Mr. Papworth in July last, after a painful illness of several years' duration, this Work cannot be completed according to the original scheme of publication, and *the Subscription is finally closed.*

<sup>1</sup> Vol. i. p. 94.

But it having been understood that the Parts already issued have been found very useful, and that there is a general desire among the Subscribers that the Work should be completed, the continuation of it has been entrusted to Mr. Papworth's relative and friend, Mr. Alfred W. Morant, F.S.A., F.G.S., who has kindly undertaken to prepare the remainder of the original MS. for, and to see it through, the press. His qualifications for this task are not unknown to some of the Subscribers. It may, however, be sufficient to mention here that his taste for such subjects led him to take a friendly interest in this Work almost from its commencement, and to watch and further its progress; and he has, in the course of his own heraldic pursuits, arranged a large collection of Foreign Coats of Arms on a similar plan, and compiled several other MSS. on this and kindred subjects.

It is estimated that at least three-fifths of the MS. have been published. In the unpublished portion there are no references to the authority W (Withie's additions to Glover's Ordinary); an omission that is considered not important: in all other respects that portion of the MS. appears to be complete, though requiring at places some re-transcribing to prepare it for the press.

There is a balance in hand, but not enough to defray the expense of completing the publication without the further payments presently mentioned. Should they be insufficient, means will be found of providing the money required.

The scheme for *completing* the publication of the Work will be found favourable even to those Subscribers who discontinued their Subscriptions early, and so occasioned great difficulty in proceeding with the issue of the Work. It is as follows:

(1). Every Subscriber who has paid 3 guineas or less per copy will, on payment of the sum required to make up his or her payments to  $3\frac{1}{2}$  guineas per copy, be entitled to one copy of such Parts as are published and have not been issued to him or her, and of the Parts yet to be published.

(2). Every Subscriber who has paid 4 guineas per copy and no more will have half a guinea returned, and be entitled to one copy of such Parts as are published and have not been issued to him or her, and of the Parts yet to be published.

(3). Every Subscriber who has paid 5 guineas per copy and no more will be entitled to one copy of such Parts as are published and have not been issued to him or her, and of the Parts yet to be published, and also, on payment of one guinea more per copy, to a *second* copy of the entire Work.

(4). Every Subscriber who has paid 6 guineas per copy and no more will be entitled to one copy of such Parts as are published and have not been issued to him or her, and of the Parts yet to be published, and also to a *second* copy of the entire Work without any further payment.

(5). As to those Subscribers who have liberally paid more than 6 guineas per copy, each of them will be entitled to one copy of such Parts as are published and have not been issued to him or her, and of the Parts yet to be published, and also to a *second* copy of the entire Work without any further payment; and may either have the amount paid by him or her above 6 guineas returned, or may arrange for the purchase of an extra copy of the entire Work at the price of 3 guineas only.

(6). Every person who has subscribed for two or more copies will for all purposes be considered as so many separate Subscribers, and will be entitled to copies accordingly.

(7). The executors or administrators of deceased Subscribers will be considered as their representatives, and may make the payments before mentioned. The Continua-

tion will be supplied only to Subscribers or their respective executors or administrators, or to such persons as they respectively shall have nominated in writing to receive the same.

(8). If any Subscriber shall claim to have paid more than appears to his or her credit in Mr. Papworth's accounts, the receipt for any or every such payment, or other satisfactory evidence of it, must be produced.

Part XV., which will complete the issue for the fifth year, will be prepared and delivered as early as possible; and the remainder of the Work will be issued in one Part or two Parts as may be found convenient.

It is particularly requested that the several further payments to be made by some of the Subscribers or their representatives, as is before mentioned, be made without delay after notice that Part XV. is ready for delivery. When those payments respectively shall have been made, *all the Parts then published which shall be due may be obtained on application.*

Except in the cases beforementioned, the price of the entire Work, as well to the Subscribers as to others, will be *five guineas*.

All or any payments may be made either into the Union Bank of London (Charing Cross Branch) to the credit of "Mr. Papworth's Ordinary of Armorial," or to Mr. Wyatt Papworth, F.R.I.B.A., 13, Hart Street, Bloomsbury Square, W.C.; to whom all communications are to be addressed.

*January 1871.*

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### JOHN HODGSON HINDE, ESQ.

We ought not to have closed our Heraldic Chronicle for the year 1869 without some notice of the late John Hodgson Hinde, esq., one of the most zealous, generous, and public-spirited of the Antiquaries of the North of England. Though not related to the late Rev. John Hodgson the historian of Northumberland, it has been remarked that he closely resembled him in spirit, and latterly in his person also; so completely was Mr. Hodgson Hinde a student, from taste and predilection, though a gentleman of large and independent fortune. He was the descendant of an old Newcastle family, of which the pedigree will be seen in Burke's *Landed Gentry*. He was born in 1806, the eldest son of John Hodgson, esq., of Elswick House, co. Northumberland, who died in 1820; and it was not until 1836 that he took (with the royal licence) the additional name of Hind, in compliance with the testamentary injunction of Miss Elizabeth Archer Hind. He afterwards chose to write this name Hinde. At the age of 24 he was elected to parliament for Newcastle upon the Conservative interest, and (with one interval of eighteen months) he continued, in spite of various contests, to represent the borough until 1847. From the period of his retirement he devoted himself thoroughly to the history

and antiquities of Newcastle and Northumberland. He was the author of five papers in the quarto series of the *Archæologia Æliana*, and of fourteen in the octavo series which commenced in 1857. When the Rev. John Hodgson in 1845 left his *History of Northumberland* unfinished, Mr. Hodgson Hinde undertook that part of it which proposed a "General History of the County," and he completed that task in 1850 in an admirable volume of 400 pages 4to. The MSS. of Horsley, the author of *Britannia Romana*, were procured through the influence of Mr. Hodgson Hinde from Mr. Cay of Edinburgh, presented to the Society of Antiquaries of Newcastle, and edited and printed (at his own expense) for presentation to its members, under the title of *Inedited Contributions to the History of Northumberland*, Part I. (see this described in our vol. VI. p. 268.) The Second Part, which was to have consisted of the marginal notes made by Mr. Ralph Spearman of Eachwick hall (who died in 1823 aged 74) to his copy of Hutchinson's *View of Northumberland*, has not yet been printed, but it is hoped that it may be accomplished by the Society of Antiquaries of Newcastle. Mr. Hodgson Hinde died at his seat of Stelling Hall, on the 25th Nov. 1869, and was interred at Bywell. He has left a widow, Isabella, eldest dau. and coheir of Anthony Compton, esq. of Carham hall, in Northumberland, whom he married in 1833, but had no children. His next brother, Richard Hodgson, esq., sometime M.P. for Berwick and Tynemouth, married the second daughter of the same Mr. Compton. (We have followed the outlines of a memoir of the deceased which was presented to the Society Ant. Newc., of which he had been long a Vice-President, by Mr. Robert White on the 5th Jan. 1870, and which we are glad to be informed will appear hereafter in an extended form.)

The mind of Mr. Hodgson Hinde delighted in tracing the real commencements of families, places, and institutions. To heraldry he paid but little attention, but he was a valuable critic in matters of early regal and baronial genealogy. The searching introduction to the *Pipe Rolls of Cumberland, Westmerland, and Durham*, published by the Society of Antiquaries of Newcastle in 1847, was from his pen, and much sterling genealogical detail appears in *General History of Northumberland*, which comprises a peculiarly interesting chapter on the fees in the outlying district of Sadberge, now part of the county of Durham. More than once he wrote papers on the knotty points connected with Lothian and Cumberland; and a neglected but excellent dissection of Nennius, published by Messrs. Nichols in 1852,

called *The Fountains of British History explored*, seems, from internal evidence, and the stock of it found at his decease in his possession, to have been his composition.

Mr. Hodgson Hinde's mother, Miss Sarah Huntley of Friarside, co. Durham, brought that estate to the family, and it is inherited by Mr. Richard Hodgson, who resides at the Compton estate of Carham Hall. The Hind estates have passed, under Miss Hind's entail, to Mr. Hodgson Hinde's younger brother, Mr. Thomas Hodgson, who now assumes the names of Archer-Hind.

Mr. Hinde's MSS. have been presented to the Society of Antiquaries of Newcastle, who are arranging them, and will print a selection from those of importance.

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### ESQUIRE.

(From a Memorandum of the late R. L. Pearsall, F.S.A., dated 6th March, 1851.)

In the year 1825, at the Gloucester Spring Quarter Sessions, three vinegar-makers, Bushell, Colston, and another, indicted certain thieves for burglary, or something of the kind, and called themselves Esquires in the indictment. In proving their case they proved themselves to be vinegar-makers, and the witnesses who swore to that fact were cross-examined at length, as to the fact of their being Esquires, which they negatived. On this, Ludlow<sup>1</sup> (now Serjeant) took an objection to the indictment, on the ground of misdescription, which was fully argued. He said, that if the culprits were convicted on such an indictment, they might be indicted at a future time for the same offence by the same parties, under their true designation of vinegar-makers, without being able to support a plea of *autrefois acquit* by the production of the first indictment. It was agreed on all hands that, if a person be an Esquire and a vinegar-maker, he may call himself by his more worthy addition; but it was contended that a person who was not an Esquire had no right to call himself so to the detriment of a party accused. In support of the indictment it was said, among other things, that the vinegar-makers might be Esquires by reputation, such Esquires being mentioned in some of the old law books; but this was opposed by the dictum of Coke, "*Reputatio est vulgaris opinio ubi non*

<sup>1</sup> Ebenezer Ludlow, esq., M.A., serjeant-at-law, died March 25, 1851.

*est veritas.*" The court decided against the validity of the indictment, and the thieves were acquitted.

These facts might be verified, I suppose, by the note-books of Dr. Cooke, then Chairman of the Quarter Sessions. The council for the prosecution were Shutt<sup>1</sup> and Justice.<sup>2</sup> I was myself in court and heard the argument, and the only thing which I am at all uncertain about is the particular session at which the trial took place. I think, however, that I am right in having said that it took place at the Spring Session. The prosecutors were Bristol people.

*Bitton Vicarage, 6 March, 1851. (Signed) R. L. PEARSALL.*

(Robert Lucas Pearsall, esq., barrister-at-law, of the Oxford Circuit, died August 5, 1856.)

[We are favoured with this communication by the Rev. H. T. Ellicombe, M.A., F.S.A., formerly Vicar of Bitton.—EDIT. *H. & G.*]

## NOTES AND QUERIES.

**THE ARMS OF JAMES OF IGHTHAM.**—In the review of the *Visitation of Kent* 1619, in the *Herald and Genealogist*, vol. ii. p. 428, notice is taken of the grant of arms made by Camden Clarenceux in 1611 to the eight brothers, sons of Roger James of London, brewer, who died in 1591, and was buried in the church of Allhallows Barking (see his will in the Rev. Joseph Maskell's *Collections* relative to that parish. 1864. 4to). In a note in the page above indicated it was remarked that a totally different coat from that granted by Camden is assigned in Burke's *General Armory* to Demetrius Grevis-James of Ightham Court, one of the descendants of Roger, and it is added, "for this we cannot account."

It is to clear up this difficulty that I now write. In Philipot's *Villare Cantianum*, under the parish of Wrotham, of which the James are Lords of the Manor, it will be found stated (and Philipot's father acted as Pursuivant in the *Visitation of Kent* in 1611) as follows: "Will. James, esq. of Ightham, descended from an ancient family called Hæstreht near Utrecht, to which family Will. Camden Clarenceux King of Arms *through mistake and inadvertency* assigned, Argent, a chevron between three mill-rinds sable, as the paternal coat of this family, whereas, had he made a

<sup>1</sup> William Shutt, esq., barrister-at-law (sometime police magistrate at Marylebone), died July 25, 1839.

<sup>2</sup> John Thomas Justice, esq., barrister-at-law, of the Oxford Circuit, died March 18, 1836.

serious review, he would have discovered that the *original coat* of Hæstrecht was, Argent, two bars crenellée gules, three pheons in chief sable." Also in the same volume, under the head of Eightam (the old way of spelling Ightham), Philipot mentions "that the family of James, now possessors of Eightam, were originally called Hæstrecht as being lords of a place of that name near Gouda, and were branched out from the ancient family of Arkell, as likewise was that of Bouteslaw, both which families bear the same coat, without any visible distinction, with Hæstrecht, viz. Argent, two bars crenellée or counter-embattled gules, three pheons in chief sable."

Philipot proceeds to give an interesting account of the emigration in the time of Henry VIII. of Roger son of Jacob Von Hæstrecht into England from Cleve, where the family had been settled for *many descents*. He further adds that the Von Hæstrechts had been driven from Hæstrecht into Cleveland by the Count of Holland because one of their ancestors had supported the Bishop of Utrecht against the Count of Holland.<sup>1</sup> These arms, Argent, two bars counter-embattled gules—the three pheons in chief having been dropped—have always been used by the family of James, generally alone and sometimes quarterly with the coat, "Argent, a chevron between three mill-rinds sable," as may be seen by monuments and hatchments still remaining at Reigate, Surrey, and Ightham, Kent. The arms of the late Demetrius Grevis-James consisted of 44 quarterings: 1st *grand quarter*, James and Grevis quarterly (Argent, two bars counter-embattled gules for James); 2nd. James alone; 3rd. Argent, a chevron between three mill-rinds sable (also for James). This was the arrangement by the College of Arms on his assuming in 1817 the name and arms of his second cousin Richard James of Ightham Court, the representative also of the James's of Reigate, Surrey, and Chrishall, Essex.

J. S. B.

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#### THE WHITMORES.

I have fruitlessly inquired through *Notes and Queries* concerning the family of Major-General Edward Whitmore. He was present at the second capture of Louisburg, in 1758, was Governor of that place, and was

<sup>1</sup> It appears, from Grimeston's *History of the Netherlands*, published in 1608, that the Lords of Arkell were in 1018 among the principal nobility of Holland, and were foremost as leaders in the many wars of the eleventh and three following centuries. In the year 1401 John of Arkell, who was Lieutenant and Treasurer-General of Holland, being called upon by his superior Albert Count of Holland to give an account of his government as well as of the treasure which he managed, refused. Upon this he "caused all the lands and seigneuries of the said Lord of Arkell to be forfeited, as *Hæstrecht*, *Vlyest*, *Stolwyk*, and many other villages." A war ensued between them, which lasted two years, and ended with the submission of the Lord of Arkell to the Count of Holland.

drowned near Boston, N.E. Dec. 11th, 1761, aged 70 years. He had been commissioned Lieut.-Colonel of the 36th Foot July 17th, 1747, and was Colonel of the 22nd Foot in 1758. The records here in New England mention that he had no wife living, but several children.

Administration was granted April 5th, 1762, to Edward Whitmore, son of the Hon. Edward Whitmore, Major-General, &c. a widower, deceased, and is recorded in the Prerogative Court of Canterbury.

It seems hardly possible that no descendants of these several children remain, or that if surviving all recollection is lost of their ancestor's success in America. My object in the inquiry is solely to learn something more concerning one whose name is thus interwoven in American history.

As a possible clue to the ancestry of Edward Whitmore I submit the following abstract of the will of Arthur Whitmore of the city of York, gent<sup>n</sup>. It is dated 1st Feb. 1721-2. He gives "to Richard Thompson of the city of York, alderman, and John Mayer of same, gent<sup>n</sup>, all my personal estate, &c. in trust, to pay same to my brother John Whitmore, six months after my decease, and in case my effects (which chiefly consist of army arrears due from the Government) be sufficient, then 20*l*. to the use of my daughter Anne Whitmore, to be paid her when 18, and if she die, then same to my youngest son Arthur Whitmore when 21; remainder to my two other sons Edward and John." Appoints said trustees, executors. Seal, on a wreath a demi-lion rampant. Proved 16th Feb. 1721-2, by Robert England, principal creditor.

The dates and other coincidences would seem to favour the supposition that Arthur was father of Edward. I would also suggest that the brother John may have been the John Whitmore of Letster, co. Stafford (what place can this be?) gentleman, whose son John was matriculated at Balliol College, Oxford, Jan. 14th, 1713-14, then aged 17.

This John Whitmore, jun. was settled at Fenny Compton, co. Warwick, and had one son, Edward, and two daughters, viz. Elizabeth, who married Edmund Lechmere, and —, wife of — Purshall, esq.

Edward Whitmore above named was matriculated at Balliol College Oct. 10th, 1750, aged 17; he was settled at Upton-upon-Severn, and died May 1st, 1816, aged 83, I believe without issue.

Of course I can only say positively that if Arthur's son Edward were the General, the Rev. John of Fenny Compton could not be nearer related than a cousin, but the name Edward being given to John's son may suggest that affinity.

*Boston, U.S.A. Dec. 1870.*

W. H. WHITMORE.

SCROPE FAMILY.—Can any of your readers tell me the relationship between John Scrope of Wormesley, in the county of Oxford, a Secretary to the Treasury, who died in 1752, and Col. Adrian Scrope, the "regicide,"

who is described as of that place by Wood in his *Fasti* (p. 74). Adrian Scrope appears to have had several children; two sons, Edmund the eldest and Robert the younger, are mentioned by Wood, and a tombstone in Youghal churchyard records the death of Elizabeth his youngest daughter the widow of Jonathan Blagrave, D.D. (*Topographer and Genealogist*, ii. p. 206).

According to the Scrope pedigree in Burke's *Extinct Baronetage* there is some uncertainty whether the Colonel was of the Cockerington family, the expression there being that Adrian Scrope, second son of Sir Adrian Scrope, knt. of that place, is believed to be the regicide. But if he was of that family it is singular that it should not have been known to Wood, and have been mentioned by him, whereas, after giving an account of Adrian Scrope afterwards made Knight of the Bath (son of Sir Gervais Scrope of Cockerington, the Colonel's brother), he only says: "There was another Adrian Scrope a soldier, but, taking part with the Parliament, he became one of the judges," and so on. Perhaps there was a reluctance to make the identity too prominent. Yours, &c.

A SUBSCRIBER.

A note on p. 86 of the *Diary of Marmaduke Rawdon of York*, published by the Camden Society, seems to call for a brief explanation. The writer therein refers to "Mrs. Penelope Wells, waiting gentlewoman to Sir Thomas Kemyss' lady," and mentions that Sir Thomas was lately dead (May 1658) and his lady was at London at her brother Sir George Whitmore's. As the Editor has said, this should be Sir Charles Kemyss, Bart. who married a daughter of Sir George Whitmore. Penelope Wells, however, was evidently afterwards the wife of William Whitmore of Balmes, only surviving son of Sir George. Dale's *History of Harwich*, p. 207, gives her Christian name only, Penelope, but as his will mentions "Frances Wells sister of my late wife," the identity is complete. This item may be worth preservation.

The following item kindly furnished me by a friend may be of service to some American. It is from the records of St. Dunstan's Stepney, London: "1634, April 28. Robert Whitmor, planter in Virginia and Elizabeth Ayerst of the same, maid, married by license from the Registry of the Lord Bishop of London, Monday, April 28th, 1634."

W. H. W.

DAME ALICE BOTELEER, STYLED "LADY FENWICK."—In the *New-England Historical and Genealogical Register* for January 1871, is noticed (at p. 102) a neatly printed pamphlet entitled *Re-Interment of the Remains of Lady Alice Apsley Boteler Fenwick, Old Saybrook, 1870*: printed at Hartford, 12mo., pp. 24. Our American friends have taken especial inte-

rest in this lady, because she was the first to whom a tombstone was erected in what is now the State of Connecticut. Her re-interment was rendered necessary by the formation of a new railroad; and it was performed with considerable ceremony, several public addresses being delivered on the occasion,—among others a poem on the *Tomb of Lady Fenwick*, by the late Miss Caulking, the historian of New-London and Norwich. The Hon. J. Hammond Trumbull, President of the Connecticut Historical Society, had prepared an elaborate historical discourse: from which we gather the following particulars. “Lady Fenwick” was the second daughter of Sir Edward Apsley, and heir to her brother who was the last of the Apsleys of Apsley. Her first husband was Sir John Boteler, eldest son of Sir Oliver Boteler. She sailed from London about the 20th May, 1639, with George Fenwick, esq. whom she had lately married, and who was afterwards a magistrate of Connecticut and one of the Commissioners of the confederated New-England colonies, &c. She died at Saybrook (a place which was named after the two Lords, Saye and Brooke) probably late in 1645, and was buried, it is said, within the palisades of the fort.

Nothing can be more gratifying to our genealogical sympathies than the respect thus shown to patriarchal memories. But we cannot forbear from a smile at the array of names strung together in the title-page of the Hartford pamphlet. It combines, it will be seen, all that the lady ever distinctly enjoyed, in her three states of maidenhood, her first marriage, and her second. At first mistress Alice Apsley, she became dame Alice Boteler, and lastly mistress Fenwick. She might possibly retain her title of Lady Boteler; but she could never properly have been Lady Fenwick, unless indeed her second husband was knighted. We find that Sir John Boteler died in his father's lifetime s.p. and that his younger brother Sir William was created a Baronet, as of Teston, co. Kent, in 1641. Her second marriage is not noticed in the Baronetages, *art.* Boteler.

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SCOTTISH ARMORY.—I may tell ANGLO-SCOTUS (vol. v. p. 142), that the “fleurs de lis” of the Chiefs of Macmicking are not registered in the Lyon Office, nor to be found in any MS. that I have consulted. An inescutcheon as the badge of a chieftain is equally unknown to me; and I believe I may say that “dovetail” does not occur in any Scottish coat. S.

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## CORRIGENDA.

Page 78, line 23, *for frequently read figuratively.*

Page 93, line 8, *for le Fenton read Fenton.*

Page 120, line 5, *for p. iii. read p. 98.*

Page 153, *for Sunbury read Sudbury.*

Page 187, line 14, *for Reeve read Reeves.*

Page 243, note, *for Winchseister read Winchester.*

Page 272, *for p. 281 read p. 285.*

Page 280, lines 10 and 13, *for inescoccheon read escoccheon of pretence.*

Page 320, line 6, *read July 18, 1584.*

Page 382, line 19, *for Holbeach read Holbeck.*

Page 409, line 31, *for Wolferton read Wolferlow.* The estate was purchased from the Rev. Winnington Ingram, Canon of Worcester. The manor of Wolferlow still belongs to Sir Thomas Edward Winnington, Bart.

Page 419, *for Stekelinghall read Sekelinghall.*

Page 426, *for Wetherley read Wetherby.*

Page 659, line 3, *read cotises.*

Page 665, line 10, *for Esdaile read Estcourt.*

(Between page 480 and page 580 an error occurs in pagination, but the signatures to the sheets are correct.)

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